



SENATE JOURNAL

STATE OF ILLINOIS

NINETY-SIXTH GENERAL ASSEMBLY

125TH LEGISLATIVE DAY

THURSDAY, MAY 27, 2010

12:22 O'CLOCK P.M.

SENATE
Daily Journal Index
125th Legislative Day

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The Senate met pursuant to adjournment.
Senator Don Harmon, Oak Park, Illinois, presiding.
Prayer by Pastor Neal Herr, Hope Evangelical Free Church, Springfield, Illinois.
Senator Jacobs led the Senate in the Pledge of Allegiance.

Senator Hunter moved that reading and approval of the Journal of Wednesday, May 26, 2010, be postponed, pending arrival of the printed Journal.
The motion prevailed.

REPORT RECEIVED

The Secretary placed before the Senate the following report:

Report of Social Services Block Grant Fund and Local Initiative Fund Receipts and Transfers, State Fiscal Year 2010, submitted by the Department of Human Services.

The foregoing report was ordered received and placed on file in the Secretary's Office.

MESSAGES FROM THE PRESIDENT

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 27, 2010

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator John Sullivan to temporarily replace Senator James DeLeo as a member of the Senate Executive Appointments Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Executive Appointments Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 27, 2010

Ms. Jillayne Rock
Secretary of the Senate

[May 27, 2010]

Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator John Sullivan to temporarily replace Senator James DeLeo as a member of the Senate Executive Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Executive Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 27, 2010

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Dan Kotowski to temporarily replace Senator Michael Jacobs as a member of the Senate Revenue Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Revenue Committee.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Minority Leader Christine Radogno

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 27, 2010

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator David Koehler to temporarily replace Senator James Meeks as a member of the Senate Revenue Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Revenue Committee.

[May 27, 2010]

Sincerely,
s/John J. Cullerton
Senate President

**OFFICE OF THE SENATE PRESIDENT
STATE OF ILLINOIS**

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 27, 2010

Ms. Jillayne Rock
Secretary of the Senate
Room 401 State House
Springfield, IL 62706

Dear Madam Secretary:

Pursuant to the provisions of Senate Rule 2-10, I hereby establish May 31, 2010 as the Committee and 3rd Reading deadline for HB 1597 and HB 3690.

Sincerely,
s/John J. Cullerton
Senate President

cc: Senate Republican Leader Christine Radogno

INTRODUCTION OF BILL

SENATE BILL NO. 3940. Introduced by Senator Maloney, a bill for AN ACT concerning safety.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 862

Offered by Senator Demuzio and all Senators:
Mourns the death of Ann Copelin of Virden.

SENATE RESOLUTION NO. 863

Offered by Senator Demuzio and all Senators:
Mourns the death of Garrett James Smith of Oconee.

SENATE RESOLUTION NO. 864

Offered by Senator Haine and all Senators:
Mourns the death of Donald A. Jacoby of Alton.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

MESSAGES FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

[May 27, 2010]

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 226

A bill for AN ACT concerning education.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 226

House Amendment No. 2 to SENATE BILL NO. 226

House Amendment No. 3 to SENATE BILL NO. 226

House Amendment No. 5 to SENATE BILL NO. 226

Passed the House, as amended, May 26, 2010.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 226

AMENDMENT NO. 1. Amend Senate Bill 226 by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Sections 1A-8, 3-7, 3-15.5, 10-9, 10-22.45, 23-3, and 23-6 and by adding Sections 10-16.9, 10-17b, 10-17c, 10-17d, 10-20.46, 23-5.5, 34-18.37, 34-18.38, 34-18.39, 34-18.40, and 34-18.41 as follows:

(105 ILCS 5/1A-8) (from Ch. 122, par. 1A-8)

Sec. 1A-8. Powers of the Board in Assisting Districts Deemed in Financial Difficulties. To promote the financial integrity of school districts, the State Board of Education shall be provided the necessary powers to promote sound financial management and continue operation of the public schools.

The State Superintendent of Education may require a school district, including any district subject to Article 34A of this Code, to share financial information relevant to a proper investigation of the district's financial condition and the delivery of appropriate State financial, technical, and consulting services to the district if the district (i) has been designated, through the State Board of Education's School District Financial Profile System, as on financial warning or financial watch status, (ii) has failed to file an annual financial report, annual budget, deficit reduction plan, or other financial information as required by law, or (iii) has been identified, through the district's annual audit or other financial and management information, as in serious financial difficulty in the current or next school year. In addition to financial, technical, and consulting services provided by the State Board of Education, at the request of a school district, the State Superintendent may provide for an independent financial consultant to assist the district review its financial condition and options.

The State Board of Education, after proper investigation of a district's financial condition, may certify that a district, including any district subject to Article 34A, is in financial difficulty when any of the following conditions occur:

(1) The district has issued school or teacher orders for wages as permitted in Sections 8-16, 32-7.2 and 34-76 of this Code;

(2) The district has issued tax anticipation warrants or tax anticipation notes in anticipation of a second year's taxes when warrants or notes in anticipation of current year taxes are still outstanding, as authorized by Sections 17-16, 34-23, 34-59 and 34-63 of this Code, or has issued short-term debt against 2 future revenue sources, such as, but not limited to, tax anticipation warrants and general State Aid certificates or tax anticipation warrants and revenue anticipation notes;

(3) The district has for 2 consecutive years shown an excess of expenditures and other financing uses over revenues and other financing sources and beginning fund balances on its annual financial report for the aggregate totals of the Educational, Operations and Maintenance, Transportation, and Working Cash Funds;

(4) The district refuses to provide financial information or cooperate with the State Superintendent in an investigation of the district's financial condition.

No school district shall be certified by the State Board of Education to be in financial difficulty by reason of any of the above circumstances (i) arising as a result of the failure of the county to make any distribution of property tax money due the district at the time such distribution is due; (ii) arising as a result of the inability of the State to disburse reimbursements authorized under Sections 14-7.02, 14-7.02b, 14-7.03, 14-13.01, 18-3, 18-11, 18-4.3, and 29-5 for receipt by the school district no later than June 30th of each year; or (iii) if the district clearly demonstrates to the satisfaction of the State Board of Education at the time of its determination that such condition no longer exists. If the State Board of

[May 27, 2010]

Education certifies that a district in a city with 500,000 inhabitants or more is in financial difficulty, the State Board shall so notify the Governor and the Mayor of the city in which the district is located. The State Board of Education may require school districts certified in financial difficulty, except those districts subject to Article 34A, to develop, adopt and submit a financial plan within 45 days after certification of financial difficulty. The financial plan shall be developed according to guidelines presented to the district by the State Board of Education within 14 days of certification. Such guidelines shall address the specific nature of each district's financial difficulties. Any proposed budget of the district shall be consistent with the financial plan submitted to and approved by the State Board of Education.

A district certified to be in financial difficulty, other than a district subject to Article 34A, shall report to the State Board of Education at such times and in such manner as the State Board may direct, concerning the district's compliance with each financial plan. The State Board may review the district's operations, obtain budgetary data and financial statements, require the district to produce reports, and have access to any other information in the possession of the district that it deems relevant. The State Board may issue recommendations or directives within its powers to the district to assist in compliance with the financial plan. The district shall produce such budgetary data, financial statements, reports and other information and comply with such directives. If the State Board of Education determines that a district has failed to comply with its financial plan, the State Board of Education may rescind approval of the plan and appoint a Financial Oversight Panel for the district as provided in Section 1B-4. This action shall be taken only after the district has been given notice and an opportunity to appear before the State Board of Education to discuss its failure to comply with its financial plan.

No bonds, notes, teachers orders, tax anticipation warrants or other evidences of indebtedness shall be issued or sold by a school district or be legally binding upon or enforceable against a local board of education of a district certified to be in financial difficulty unless and until the financial plan required under this Section has been approved by the State Board of Education.

Any financial watch list distributed by the State Board of Education pursuant to this Section shall designate those school districts on the watch list that would not otherwise be on the watch list were it not for the inability or refusal of the State of Illinois to make timely disbursements of any payments due school districts or to fully reimburse school districts for mandated categorical programs pursuant to reimbursement formulas provided in this School Code.

(Source: P.A. 94-234, eff. 7-1-06.)

(105 ILCS 5/3-7) (from Ch. 122, par. 3-7)

Sec. 3-7. Failure to prepare and forward information. If the trustees of schools of any township in Class II county school units, or any school district which forms a part of a Class II county school unit but which is not subject to the jurisdiction of the trustees of schools of any township in which such district is located, or any school district in any Class I county school units fail to prepare and forward or cause to be prepared and forwarded to the regional superintendent of schools, reports required by this Act, the regional superintendent of schools shall furnish such information or he shall employ a person or persons to furnish such information, as far as practicable. Such person shall have access to the books, records and papers of the school district to enable him or them to prepare such reports, and the school district shall permit such person or persons to examine such books, records and papers at such time and such place as such person or persons may desire for the purpose aforesaid. For such services the regional superintendent of schools shall bill the district an amount to cover the cost of preparation of such reports if he employs a person to prepare such reports.

Each school district shall, as of June 30 of each year, cause an audit of its accounts to be made by a person lawfully qualified to practice public accounting as regulated by the Illinois Public Accounting Act. Such audit shall include (i) development of a risk assessment of internal controls, (ii) an annual review and update of the risk assessment, and (iii) an annual management letter that analyzes significant risk assessment findings, recommends changes for strengthening controls and reducing identified risks, and specifies timeframes for implementation of these recommendations, as well as financial statements of the district applicable to the type of records required by other sections of this Act and in addition shall set forth the scope of audit and shall include the professional opinion signed by the auditor, or if such an opinion is denied by the auditor, shall set forth the reasons for such denial. Each school district shall on or before October 15 of each year, submit an original and one copy of ~~the such~~ audit to the regional superintendent of schools in the educational service region having jurisdiction in which case the regional superintendent of schools shall be relieved of responsibility in regard to the accounts of the school district. If any school district fails to supply the regional superintendent of schools with a copy of such audit report on or before October 15, or within such time extended by the regional superintendent of schools from that date, not to exceed 60 days, then it shall be the responsibility of the regional

superintendent of schools having jurisdiction to cause such audit to be made by employing an accountant licensed to practice in the State of Illinois to conduct such audit and shall bill the district for such services, or shall with the personnel of his office make such audit to his satisfaction and bill the district for such service. In the latter case, if the audit is made by personnel employed in the office of the regional superintendent of schools having jurisdiction, then the regional superintendent of schools shall not be relieved of the responsibility as to the accountability of the school district. The copy of the audit shall be forwarded by the regional superintendent to the State Board of Education on or before November 15 of each year and shall be filed by the State Board of Education. Beginning on July 1, 2010, all school districts shall utilize a competitive request for proposals process at least once every 5 years when contracting for such an annual audit.

Each school district that is the administrative district for several school districts operating under a joint agreement as authorized by this Act shall, as of June 30 each year, cause an audit of the accounts of the joint agreement to be made by a person lawfully qualified to practice public accounting as regulated by the Illinois Public Accounting Act. Such audit shall include (i) development of a risk assessment of internal controls, (ii) an annual review and update of the risk assessment, and (iii) an annual management letter that analyzes significant risk assessment findings, recommends changes for strengthening controls and reducing identified risks, and specifies timeframes for implementation of these recommendations, as well as financial statements of the operation of the joint agreement applicable to the type of records required by this Act and, in addition, shall set forth the scope of the audit and shall include the professional opinion signed by the auditor, or if such an opinion is denied, the auditor shall set forth the reason for such denial. Each administrative district of a joint agreement shall on or before October 15 each year, submit an original and one copy of such audit to the regional superintendent of schools in the educational service region having jurisdiction in which case the regional superintendent of schools shall be relieved of responsibility in regard to the accounts of the joint agreement. The copy of the audit shall be forwarded by the regional superintendent to the State Board of Education on or before November 15 of each year and shall be filed by the State Board of Education. The cost of such an audit shall be apportioned among and paid by the several districts who are parties to the joint agreement, in the same manner as other costs and expenses accruing to the districts jointly. Beginning on July 1, 2010, all school districts operating under a joint agreement shall utilize a competitive request for proposals process at least once every 5 years when contracting for such an annual audit.

The State Board of Education shall determine the adequacy of the audits. All audits shall be kept on file in the office of the State Board of Education.

(Source: P.A. 86-1441; 87-473.)

(105 ILCS 5/3-15.5) (from Ch. 122, par. 3-15.5)

Sec. 3-15.5. Removal of school board members. To remove any member of a school board from office for willful ~~willful~~ failure to perform his or her official duties, after an investigation that results in such claims being substantiated. Within 10 days after completing an investigation of a board member, regardless of the outcome of the investigation, the regional superintendent of schools shall send a written report of his or her investigation and findings to (i) the appropriate State's Attorney if criminal activity is suspected, (ii) the school board president and superintendent of the school district identified or referenced in the findings, (iii) the person who made a report resulting in an investigation, if any, and (iv) the person who is the subject of the investigation.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/10-9) (from Ch. 122, par. 10-9)

Sec. 10-9. Interest of board member or general counsel in contracts.

(a) No school board member shall be interested, directly or indirectly, in his own name or in the name of any other person, association, trust or corporation, in any contract, work or business of the district or in the sale of any article, whenever the expense, price or consideration of the contract, work, business or sale is paid either from the treasury or by any assessment levied by any statute or ordinance. No school board member or general counsel shall be interested, directly or indirectly, in the purchase of any property which (1) belongs to the district, or (2) is sold for taxes or assessments, or (3) is sold by virtue of legal process at the suit of the district.

(b) However, any board member may provide materials, merchandise, property, services or labor, if:

A. the contract is with a person, firm, partnership, association, corporation or cooperative association in which the board member has less than a 7 1/2% share in the ownership; and

B. such interested board member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

C. such interested board member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum; and

D. such contract is approved by a majority vote of those board members presently holding office; and

E. the contract is awarded after sealed bids to the lowest responsible bidder if the amount of the contract exceeds \$1500, or awarded without bidding if the amount of the contract is less than \$1500; and

F. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation or cooperative association in the same fiscal year to exceed \$25,000.

(c) In addition to the above exemption, any board member may provide materials, merchandise, property, services or labor if:

A. the award of the contract is approved by a majority vote of the board provided that any such interested member shall abstain from voting; and

B. the amount of the contract does not exceed \$1,000; and

C. the award of the contract would not cause the aggregate amount of all such contracts so awarded to the same person, firm, association, partnership, corporation, or cooperative association in the same fiscal year to exceed \$2,000, except with respect to a board member of a school district in which the materials, merchandise, property, services, or labor to be provided under the contract are not available from any other person, firm, association, partnership, corporation, or cooperative association in the district, in which event the award of the contract shall not cause the aggregate amount of all contracts so awarded to that same person, firm, association, partnership, or cooperative association in the same fiscal year to exceed \$5,000; and

D. such interested member publicly discloses the nature and extent of his interest prior to or during deliberations concerning the proposed award of the contract; and

E. such interested member abstains from voting on the award of the contract, though he shall be considered present for the purposes of establishing a quorum.

(d) In addition to exemptions otherwise authorized by this Section, any board member may purchase for use as the board member's primary place of residence a house constructed by the district's vocational education students on the same basis that any other person would be entitled to purchase the property. The sale of the house by the district must comply with the requirements set forth in Section 5-22 of The School Code.

(e) A contract for the procurement of public utility services by a district with a public utility company is not barred by this Section by one or more members of the board being an officer or employee of the public utility company or holding an ownership interest of no more than 7 1/2% in the public utility company, or holding an ownership interest of any size if the school district has a population of less than 7,500 and the public utility's rates are approved by the Illinois Commerce Commission. An elected or appointed member of the board having such an interest shall be deemed not to have a prohibited interest under this Section.

(f) Nothing contained in this Section, including the restrictions set forth in subsections (b), (c), (d) and (e), shall preclude a contract of deposit of monies, loans or other financial services by a school district with a local bank or local savings and loan association, regardless of whether a member or members of the governing body of the school district are interested in such bank or savings and loan association as an officer or employee or as a holder of less than 7 1/2% of the total ownership interest. A member or members holding such an interest in such a contract shall not be deemed to be holding a prohibited interest for purposes of this Act. Such interested member or members of the governing body must publicly state the nature and extent of their interest during deliberations concerning the proposed award of such a contract, but shall not participate in any further deliberations concerning the proposed award. Such interested member or members shall not vote on such a proposed award. Any member or members abstaining from participation in deliberations and voting under this Section may be considered present for purposes of establishing a quorum. Award of such a contract shall require approval by a majority vote of those members presently holding office. Consideration and award of any such contract in which a member or members are interested may only be made at a regularly scheduled public meeting of the governing body of the school district.

(g) Any school board member or general counsel who violates this Section is guilty of a Class 4 felony and in addition thereto any office held by such person so convicted shall become vacant and shall be so declared as part of the judgment of the court.

(Source: P.A. 89-244, eff. 8-4-95.)

(105 ILCS 5/10-16.9 new)

Sec. 10-16.9. Complaint policy. Each school board shall adopt a policy allowing a person to report to the school board if he or she believes that the school board or an individual school board member or

employee has violated State or federal law or board policy. The complaint policy shall include each of the following:

(1) Instructions for filing a complaint under this Section.

(2) A complaint resolution process that includes, when appropriate, referral to the appropriate State's Attorney or the regional superintendent of schools.

(3) A statement that an elective school board office becomes vacant whenever, among other reasons, a school board member is convicted of an infamous crime, an offense involving a violation of official oath, or a violent crime against a child, pursuant to item (5) of Section 10-11 of this Code, of having a prohibited interest in a district contract under Section 10-9 of this Code, of official misconduct under Section 33-3 of the Criminal Code of 1961, or of bid-rigging under Section 33E-3 of the Criminal Code of 1961.

(4) A statement that the appropriate regional superintendent of schools is authorized to remove a school board member from office for willful failure to perform official duties pursuant to Section 3-15.5 of this Code.

Within 10 days after completing an investigation of a complaint referred to him or her under a board policy implementing this Section, the regional superintendent of schools or State's Attorney shall send a written report of his or her investigation and findings to the school board president and superintendent of the school district identified or referenced in the findings, the person who made the initial complaint, and any person who is the subject of the complaint.

(105 ILCS 5/10-17b new)

Sec. 10-17b. Financial policies. Each school board shall adopt a formal, written financial policy. The policy may include information in the following areas:

(1) Debt capacity, issuance, and management.

(2) Capital asset management.

(3) Reserve or stabilization funds.

(4) Periodic budget to actual comparison reports.

(5) Fees and charges.

(6) The use of one-time revenue.

(7) Risk management.

(8) Purchasing.

(9) Vehicle acquisition and maintenance.

The school board shall make the policy publicly available.

(105 ILCS 5/10-17c new)

Sec. 10-17c. Long-term financial plan. Each school board shall develop a long-term financial plan that extends over at least a 3-year period and that is updated and approved annually. The plan must include multi-year forecasts of revenues, expenditures, and debt. The school board may make the plan available to the public by publishing it as a separate document and submitting it with the annual budget or by posting the plan as a document on the school district's Internet website, if any. The forecasts that are the foundation of the plan must be available to participants in the budget process before budgetary decisions are made. The public must be provided opportunities for providing dialog with respect to the long-term financial planning process.

(105 ILCS 5/10-17d new)

Sec. 10-17d. Capital improvement plan. Each school board shall develop a 5-year capital improvement plan that is updated and approved annually. The plan must include a summary list of the description of the capital projects to be completed over the next 5 years, along with projected expenditures, and revenue sources. The school board shall make the plan available to the public. The school board shall hold a public hearing on the capital improvement plan, which hearing may be held at a regularly scheduled meeting of the board.

(105 ILCS 5/10-20.46 new)

Sec. 10-20.46. School district financial accountability.

(a) A school board shall annually include a user-friendly executive summary as part of the district's budget. The executive summary shall include all of the following:

(1) The district's major goals and objectives.

(2) A discussion of the major financial factors and trends affecting the budget, such as changes in revenues, enrollment, and debt.

(3) A description of the budget process.

(4) An overview of revenues and expenditures for all funds, including 3 to 5 years of prior trends.

(5) An explanation of significant financial and demographic trends.

(6) An explanation of the reasons for a budget deficit and an explanation of how the deficit is being

addressed.

(7) A budget forecast for 3 to 5 years in the future.

(8) Student enrollment trends, including a future forecast.

(9) The number of personnel by type.

(10) Changes in debt burden.

(b) A school board shall annually include in the full budget document the following items; any or all of the following items may be published as separate documents provided that they are explicitly referenced in the annual budget and provided that they are made publicly available at the same time as the budget document:

(1) An organizational chart.

(2) Formal financial policies.

(3) The district's long-term financial plan or a summary of the long-term financial plan.

(4) The district's capital improvement plan or a summary of the capital improvement plan.

(105 ILCS 5/10-22.45) (from Ch. 122, par. 10-22.45)

Sec. 10-22.45. A school board shall ~~to~~ establish an audit committee, which may include ~~and to appoint~~ members of the board ~~or~~ other appropriate officers ~~or persons who do not serve on the board to the committee~~, to review audit reports and any other financial reports and documents, including management letters prepared by or on behalf of the board. Nothing in this Section prohibits a school district from maintaining its own internal audit function.

(Source: P.A. 82-644.)

(105 ILCS 5/23-3) (from Ch. 122, par. 23-3)

Sec. 23-3. Filing copy of constitution, by-laws and amendments. Within 30 days after the adoption by any such association of its constitution or by-laws or any amendment thereto, it shall file a copy thereof, certified by its president and executive director, with the Governor, the State Superintendent of Education, ~~Public Instruction~~ and the ~~regional county~~ superintendent of schools of each ~~region county~~ in which it has any membership.

(Source: Laws 1961, p. 31.)

(105 ILCS 5/23-5.5 new)

Sec. 23-5.5. Professional development and training. Any such association shall offer professional development and training to school board members on topics that include, but are not limited to, basics of school finance, financial oversight and accountability, labor law and collective bargaining, ethics, duties and responsibilities of a school board member, and board governance principles. Every school board member is expected to receive at least 4 hours of professional development and training per year.

(105 ILCS 5/23-6) (from Ch. 122, par. 23-6)

Sec. 23-6. Annual report. Each association shall make an annual report within 60 days after the close of its fiscal year to the Governor, the State Board of Education and the regional superintendent of schools of each region in which it has members, setting forth the activities of the association for the preceding fiscal year, the institutes held, the subjects discussed, and the attendance, and shall furnish the Governor, the State Board of Education and such regional superintendents with copies of all publications sent to its members. The association shall include the board training topics offered and the number of school board members that availed themselves of professional development and training.

(Source: P.A. 81-1508.)

(105 ILCS 5/34-18.37 new)

Sec. 34-18.37. Financial policies. The board shall adopt a formal, written financial policy. The policy may include information in the following areas:

(1) Debt capacity, issuance, and management.

(2) Capital asset management.

(3) Reserve or stabilization funds.

(4) Periodic budget to actual comparison reports.

(5) Fees and charges.

(6) The use of one-time revenue.

(7) Risk management.

(8) Purchasing.

(9) Vehicle acquisition and maintenance.

The board shall make the policy publicly available.

(105 ILCS 5/34-18.38 new)

Sec. 34-18.38. Long-term financial plan. The board shall develop a long-term financial plan that extends over at least a 3-year period and that is updated and approved annually. The plan must include multi-year forecasts of revenues, expenditures, and debt. The board may make the plan available to the

public by publishing it as a separate document and submitting it with the annual budget or by posting the plan as a document on the school district's Internet website. The forecasts that are the foundation of the plan must be available to participants in the budget process before budgetary decisions are made. The public must be provided opportunities for providing dialog with respect to the long-term financial planning process.

(105 ILCS 5/34-18.39 new)

Sec. 34-18.39. Capital improvement plan. The board shall develop a 5-year capital improvement plan that is updated and approved annually. The plan must include a summary list of the description of the capital projects to be completed over the next 5 years, along with projected expenditures, and revenue sources. The board shall make the plan available to the public. The board shall hold a public hearing on the capital improvement plan, which hearing may be held at a regularly scheduled meeting of the board.

(105 ILCS 5/34-18.40 new)

Sec. 34-18.40. School district financial accountability.

(a) The board shall annually include a user-friendly executive summary as part of the district's budget. The executive summary shall include all of the following:

(1) The district's major goals and objectives.

(2) A discussion of the major financial factors and trends affecting the budget, such as changes in revenues, enrollment, and debt.

(3) A description of the budget process.

(4) An overview of revenues and expenditures for all funds, including 3 to 5 years of prior trends.

(5) An explanation of significant financial and demographic trends.

(6) An explanation of the reasons for a budget deficit and an explanation of how the deficit is being addressed.

(7) A budget forecast for 3 to 5 years in the future.

(8) Student enrollment trends, including a future forecast.

(9) The number of personnel by type.

(10) Changes in debt burden.

(b) The board shall annually include in the full budget document the following items; any or all of the following items may be published as separate documents provided that they are explicitly referenced in the annual budget and provided that they are made publicly available at the same time as the budget document:

(1) An organizational chart.

(2) Formal financial policies.

(3) The district's long-term financial plan or a summary of the long-term financial plan.

(4) The district's capital improvement plan or a summary of the capital improvement plan.

(105 ILCS 5/34-18.41 new)

Sec. 34-18.41. Audit committee. The board shall establish an audit committee, which may include members of the board, other appropriate officers, or persons who do not serve on the board, to review the board's independent auditor's report on the comprehensive annual financial report and other financial reports and documents, including management letters. Nothing in this Section prohibits the school district from maintaining its own internal audit function.

Section 99. Effective date. This Act takes effect upon becoming law, except that the provisions changing Sections 3-7, 10-22.45, and 23-6 and adding Sections 10-17b, 10-17c, 10-17d, 10-20.46, 23-5.5, 34-18.37, 34-18.39, 34-18.40, and 34-18.41 of the School Code take effect July 1, 2010."

AMENDMENT NO. 2 TO SENATE BILL 226

AMENDMENT NO. 2. Amend Senate Bill 226, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 7-2b as follows:

(105 ILCS 5/7-2b) (from Ch. 122, par. 7-2b)

Sec. 7-2b. Annexation of non-coterminous territory from an elementary or high school district.

(a) Any contiguous portion of a high school district that constitutes 5% or less of the equalized assessed value of the district and 5% or less of the territory of the district shall upon petition of two-thirds of the registered voters of the territory proposed to be detached and annexed be so detached and annexed by the regional board of school trustees if granting such petition shall make the affected segment of the boundaries of the high school district the territory is proposed to be annexed to identical, for the entirety of such affected segment, to the boundaries of the elementary school district in which the

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territory is located.

Any contiguous portion of an elementary school district that constitutes 5% or less of the equalized assessed value of the district and 5% or less of the territory of the district shall upon petition of two-thirds of the registered voters of the territory proposed to be detached and annexed be so detached and annexed by the regional board of school trustees if granting such petition shall make the affected segment of the boundaries of the elementary school district the territory is proposed to be annexed to identical, for the entirety of such affected segment, to the boundaries of the high school district in which the territory is located.

The regional board of school trustees shall have no authority or discretion to hear any evidence or consider any issues except those that may be necessary to determine whether the limitations and conditions of this Section have been met.

No district may lose more than 5% of its equalized assessed value or more than 5% of its territory through petitions filed under this Section. If a petition seeks to detach territory that would result in a cumulative total of more than 5% of a district's equalized assessed value or more than 5% of the district's territory being detached under this Section, the petition shall be denied without prejudice to its being filed pursuant to Section 7-6 of this Code. Notwithstanding any other provision of this Section, this paragraph shall apply to any detachments effected pursuant to the provisions of this Section as they existed prior to the effective date of this amendatory Act of the 91st General Assembly.

(b) At any time prior to the granting of the petition calling for the detachment and annexation of non-coterminous territory under this Section, the Committee of Ten designated in the petition may amend the petition to withdraw the detachment and annexation proposal and substitute in its place a proposal to require the school district from which the territory would have been detached to pay the per capita tuition costs for each pupil residing in the non-coterminous territory to attend the school district to which the territory would have been annexed. If such amended petition is granted, the school district from which the territory would have been detached shall pay to the school district to which the territory would have been annexed the per capita tuition costs as determined under Section 10-20.12a for each pupil residing in the territory who chooses to attend the school district to which the territory would have been annexed. Notwithstanding the provisions of Section 10-22.5, the school district to which the territory would have been annexed shall admit any pupil that resides in the non-coterminous territory and provide such pupils with any services of the school. The payment and collection of tuition and any other such matters as may need to be resolved shall be established by an intergovernmental agreement developed between the two affected school districts. Section 7-6 of this Code shall apply to petitions filed under this Section except as otherwise provided in this Section.

The changes made by this amendatory Act of the 91st General Assembly shall not apply to petitions pending on the effective date of this amendatory Act of the 91st General Assembly.

(c) If a territory seeks to detach from a school district and it (1) does not have a regional board of school trustees and (2) does not have a township school trustee, then a petition for detachment must be filed with, and the hearing handled by, the members of the State Board of Education. The Board shall follow the same procedure for detachment, as specified in this Article, as a regional board of school trustees or township school trustee.

(Source: P.A. 91-46, eff. 6-30-99.)

Section 99. Effective date. This Act takes effect upon becoming law."

AMENDMENT NO. 3 TO SENATE BILL 226

AMENDMENT NO. 3. Amend Senate Bill 226, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 7-04 as follows:

(105 ILCS 5/7-04) (from Ch. 122, par. 7-04)

Sec. 7-04. Districts in educational service regions of 2,000,000 or more inhabitants.

(a) In all proceedings under this Article to change by detachment, annexation, division, dissolution, or any combination of those methods the boundaries of any school district (other than a school district organized under Article 34) located in an educational service region of 2,000,000 or more inhabitants in which the regional board of school trustees is abolished as provided in subsection (a) of Section 6-2, the trustees of schools of the township in which that school district is located, as the successor under subsection (b) of Section 6-2 to the former regional board of school trustees with respect to all territory located in that school township, shall have, exercise, and perform all powers, duties, and responsibilities required under this Article to be exercised and performed in those proceedings by a regional board of

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school trustees; provided that if any school district affected by those proceedings is located in a school township referred to in subsection (b) of Section 5-1 and there are no trustees of schools acting in that township then the State Board of Education ~~school board of any such district, as the successor under subsection (b) of Section 6-2 to the former regional board of school trustees with respect to the territory comprising that school district,~~ shall have, exercise, and perform all powers, duties, and responsibilities required under this Article to be exercised and performed in those proceedings with respect to the territory of that school district by a regional board of school trustees; and provided further that: (i) when any school district affected by those proceedings is located not only in an educational service region of 2,000,000 or more inhabitants but also in 2 or more school townships in that region that each have trustees of schools of the township, then the boundaries of that school district may be changed under this Article by detachment, annexation, division, dissolution, or any combination of those methods only by the concurrent action of, taken following a joint hearing before the trustees of schools of those townships (in that educational service region) in which that school district is located; and (ii) if any part of the school district referred to in item (i) of this subsection also lies within an educational service region that has a regional board of school trustees, the boundaries of that district may be changed under this Article only by the concurrent action of, taken following a joint hearing before the trustees of schools of the townships referred to in item (i) of this subsection and the regional board of school trustees of the educational service region referred to in this item (ii) of this subsection. Whenever concurrent action and joint hearings are required under this subsection, the original petition shall be filed with the trustees of schools of the township in which the territory or greatest portion of the territory being detached is located, or if the territory is being detached from more than one educational service region then with the regional board of school trustees of the region or the trustees of schools of the township in which the territory or greatest portion of the territory being detached is located.

(b) Except as otherwise provided in this Section, all other provisions of this Article shall apply to any proceedings under this Article to change the boundaries of any school district located in an educational service region having 2,000,000 or more inhabitants in the same manner that those provisions apply to any proceedings to change the boundaries of any school district located in any other educational service region; provided, that any reference in those other provisions to the regional board of school trustees shall mean, with respect to all territory within an educational service region containing 2,000,000 or more inhabitants that formerly was served by a regional board of school trustees abolished under subsection (a) of Section 6-2, the trustees of schools of the township ~~or the school board of the school district~~ that is the successor under subsection (b) of Section 6-2 to the former regional board of school trustees with respect to the territory included within that school township or school district ~~or the State Board of Education when any school district affected by those proceedings is located in a school township referred to in subsection (b) of Section 5-1 and there are no trustees of schools acting in that township.~~

(Source: P.A. 87-969.)

Section 99. Effective date. This Act takes effect upon becoming law."

AMENDMENT NO. 5 TO SENATE BILL 226

AMENDMENT NO. 5. Amend Senate Bill 226, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The School Code is amended by changing Section 21-7.1 and by adding Section 21-7.6 as follows:

(105 ILCS 5/21-7.1) (from Ch. 122, par. 21-7.1)

Sec. 21-7.1. Administrative certificate.

(a) After July 1, 1999, an administrative certificate valid for 5 years of supervising and administering in the public common schools (unless changed under subsection (a-5) of this Section) may be issued to persons who have graduated from a regionally accredited institution of higher learning with a master's degree and who have been recommended by a recognized institution of higher learning, a not-for-profit entity, or a combination thereof, as having completed a program of preparation for one or more of these endorsements. Such programs of academic and professional preparation required for endorsement shall be administered by an the institution or not-for-profit entity approved to offer such programs by the State Board of Education, in consultation with the State Teacher Certification Board, and shall be operated in accordance with this Article and the standards set forth by the State Superintendent of Education in consultation with the State Teacher Certification Board. Any program offered in whole or in part by a not-for-profit entity must also be approved by the Board of Higher Education.

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(a-5) Beginning July 1, 2003, if an administrative certificate holder holds a Standard Teaching Certificate, the validity period of the administrative certificate shall be changed, if necessary, so that the validity period of the administrative certificate coincides with the validity period of the Standard Teaching Certificate. Beginning July 1, 2003, if an administrative certificate holder holds a Master Teaching Certificate, the validity period of the administrative certificate shall be changed so that the validity period of the administrative certificate coincides with the validity period of the Master Teaching Certificate.

(b) No administrative certificate shall be issued for the first time after June 30, 1987 and no endorsement provided for by this Section shall be made or affixed to an administrative certificate for the first time after June 30, 1987 unless the person to whom such administrative certificate is to be issued or to whose administrative certificate such endorsement is to be affixed has been required to demonstrate as a part of a program of academic or professional preparation for such certification or endorsement: (i) an understanding of the knowledge called for in establishing productive parent-school relationships and of the procedures fostering the involvement which such relationships demand; and (ii) an understanding of the knowledge required for establishing a high quality school climate and promoting good classroom organization and management, including rules of conduct and instructional procedures appropriate to accomplishing the tasks of schooling; and (iii) a demonstration of the knowledge and skills called for in providing instructional leadership. The standards for demonstrating an understanding of such knowledge shall be set forth by the State Board of Education in consultation with the State Teacher Certification Board, and shall be administered by the recognized institutions of higher learning as part of the programs of academic and professional preparation required for certification and endorsement under this Section. As used in this subsection: "establishing productive parent-school relationships" means the ability to maintain effective communication between parents and school personnel, to encourage parental involvement in schooling, and to motivate school personnel to engage parents in encouraging student achievement, including the development of programs and policies which serve to accomplish this purpose; and "establishing a high quality school climate" means the ability to promote academic achievement, to maintain discipline, to recognize substance abuse problems among students and utilize appropriate law enforcement and other community resources to address these problems, to support teachers and students in their education endeavors, to establish learning objectives and to provide instructional leadership, including the development of policies and programs which serve to accomplish this purpose; and "providing instructional leadership" means the ability to effectively evaluate school personnel, to possess general communication and interpersonal skills, and to establish and maintain appropriate classroom learning environments. The provisions of this subsection shall not apply to or affect the initial issuance or making on or before June 30, 1987 of any administrative certificate or endorsement provided for under this Section, nor shall such provisions apply to or affect the renewal after June 30, 1987 of any such certificate or endorsement initially issued or made on or before June 30, 1987.

(c) Administrative certificates shall be renewed every 5 years with the first renewal being 5 years following the initial receipt of an administrative certificate, unless the validity period for the administrative certificate has been changed under subsection (a-5) of this Section, in which case the certificate shall be renewed at the same time that the Standard or Master Teaching Certificate is renewed.

~~(c-5) (Blank). Before July 1, 2003, renewal requirements for administrators whose positions require certification shall be based upon evidence of continuing professional education which promotes the following goals: (1) improving administrators' knowledge of instructional practices and administrative procedures; (2) maintaining the basic level of competence required for initial certification; and (3) improving the mastery of skills and knowledge regarding the improvement of teaching performance in clinical settings and assessment of the levels of student performance in their schools. Evidence of continuing professional education must include verification of biennial attendance in a program developed by the Illinois Administrators' Academy and verification of annual participation in a school district approved activity which contributes to continuing professional education.~~

(c-10) ~~Except~~ Beginning July 1, 2003, except as otherwise provided in subsection (c-15) of this Section, persons holding administrative certificates must follow the certificate renewal procedure set forth in this subsection (c-10), provided that those persons holding administrative certificates on June 30, 2003 who are renewing those certificates on or after July 1, 2003 shall be issued new administrative certificates valid for 5 years (unless changed under subsection (a-5) of this Section), which may be renewed thereafter as set forth in this subsection (c-10).

A person holding an administrative certificate and employed in a position requiring administrative certification, including a regional superintendent of schools, must satisfy the continuing

professional development requirements of this Section to renew his or her administrative certificate. The continuing professional development must include without limitation the following continuing professional development purposes:

(1) To improve the administrator's knowledge of instructional practices and administrative procedures in accordance with the Illinois Professional School Leader Standards.

(2) To maintain the basic level of competence required for initial certification.

(3) To improve the administrator's mastery of skills and knowledge regarding the improvement of teaching performance in clinical settings and assessment of the levels of student performance in the schools.

The continuing professional development must include the following in order for the certificate to be renewed:

(A) Participation in continuing professional development activities, which must total a minimum of 100 hours of continuing professional development. The participation must consist of a minimum of 5 activities per validity period of the certificate, and the certificate holder must maintain documentation of completion of each activity.

(B) Participation every year in an Illinois Administrators' Academy course, which participation must total a minimum of 30 continuing professional development hours during the period of the certificate's validity and which must include completion of applicable required coursework, including completion of a communication, dissemination, or application component, as defined by the State Board of Education.

The certificate holder must complete a verification form developed by the State Board of Education and certify that 100 hours of continuing professional development activities and 5 Administrators' Academy courses have been completed. The regional superintendent of schools shall review and validate the verification form for a certificate holder. Based on compliance with all of the requirements for renewal, the regional superintendent of schools shall forward a recommendation for renewal or non-renewal to the State Superintendent of Education and shall notify the certificate holder of the recommendation. The State Superintendent of Education shall review the recommendation to renew or non-renew and shall notify, in writing, the certificate holder of a decision denying renewal of his or her certificate. Any decision regarding non-renewal of an administrative certificate may be appealed to the State Teacher Certification Board.

The State Board of Education, in consultation with the State Teacher Certification Board, shall adopt rules to implement this subsection (c-10).

The regional superintendent of schools shall monitor the process for renewal of administrative certificates established in this subsection (c-10).

(c-15) This subsection (c-15) applies to the first period of an administrative certificate's validity during which the holder becomes subject to the requirements of subsection (c-10) of this Section if the certificate has less than 5 years' validity or has less than 5 years' validity remaining when the certificate holder becomes subject to the requirements of subsection (c-10) of this Section. With respect to this period, the 100 hours of continuing professional development and 5 activities per validity period specified in clause (A) of subsection (c-10) of this Section shall instead be deemed to mean 20 hours of continuing professional development and one activity per year of the certificate's validity or remaining validity and the 30 continuing professional development hours specified in clause (B) of subsection (c-10) of this Section shall instead be deemed to mean completion of at least one course per year of the certificate's validity or remaining validity. Certificate holders who evaluate certified staff must complete a 2-day teacher evaluation course, in addition to the 30 continuing professional development hours.

(c-20) The State Board of Education, in consultation with the State Teacher Certification Board, shall develop procedures for implementing this Section and shall administer the renewal of administrative certificates. Failure to submit satisfactory evidence of continuing professional education which contributes to promoting the goals of this Section shall result in a loss of administrative certification.

(d) Any limited or life supervisory certificate issued prior to July 1, 1968 shall continue to be valid for all administrative and supervisory positions in the public schools for which it is valid as of that date as long as its holder meets the requirements for registration or renewal as set forth in the statutes or until revoked according to law.

(e) The administrative or supervisory positions for which the certificate shall be valid shall be determined by one or more of the following ~~3~~ endorsements: general supervisory, general administrative, principal, chief school business official, and superintendent.

Subject to the provisions of Section 21-1a, endorsements shall be made under conditions set forth in this Section. The State Board of Education shall, in consultation with the State Teacher Certification Board, adopt rules pursuant to the Illinois Administrative Procedure Act, establishing requirements for

obtaining administrative certificates where the minimum administrative or supervisory requirements surpass those set forth in this Section.

The State Teacher Certification Board shall file with the State Board of Education a written recommendation when considering additional administrative or supervisory requirements. All additional requirements shall be based upon the requisite knowledge necessary to perform those tasks required by the certificate. The State Board of Education shall in consultation with the State Teacher Certification Board, establish standards within its rules which shall include the academic and professional requirements necessary for certification. These standards shall at a minimum contain, but not be limited to, those used by the State Board of Education in determining whether additional knowledge will be required. Additionally, the State Board of Education shall in consultation with the State Teacher Certification Board, establish provisions within its rules whereby any member of the educational community or the public may file a formal written recommendation or inquiry regarding requirements.

(1) Until July 1, 2003, the general supervisory endorsement shall be affixed to the administrative certificate of any holder who has at least 16 semester hours of graduate credit in professional education including 8 semester hours of graduate credit in curriculum and research and who has at least 2 years of full-time teaching experience or school service personnel experience in public schools, schools under the supervision of the Department of Corrections, schools under the administration of the Department of Rehabilitation Services, or nonpublic schools meeting the standards established by the State Superintendent of Education or comparable out-of-state recognition standards approved by the State Superintendent of Education.

Such endorsement shall be required for supervisors, curriculum directors and for such similar and related positions as determined by the State Superintendent of Education in consultation with the State Teacher Certification Board.

(2) Until June 30, 2014, the ~~The~~ general administrative endorsement shall be affixed to the administrative

certificate of any holder who has at least 20 semester hours of graduate credit in educational administration and supervision and who has at least 2 years of full-time teaching experience or school service personnel experience in public schools, schools under the supervision of the Department of Corrections, schools under the administration of the Department of Rehabilitation Services, or nonpublic schools meeting the standards established by the State Superintendent of Education or comparable out-of-state recognition standards approved by the State Superintendent of Education.

Such endorsement or a principal endorsement shall be required for principal, assistant principal, assistant or

associate superintendent, and junior college dean and for related or similar positions as determined by the State Superintendent of Education in consultation with the State Teacher Certification Board.

~~Notwithstanding any other provisions of this Act, after January 1, 1990 and until January 1, 1991, any teacher employed by a district subject to Article 34 shall be entitled to receive an administrative certificate with a general administrative endorsement affixed thereto if he or she: (i) had at least 3 years of experience as a certified teacher for such district prior to August 1, 1985; (ii) obtained a Master's degree prior to August 1, 1985; (iii) completed at least 20 hours of graduate credit in education courses (including at least 12 hours in educational administration and supervision) prior to September 1, 1987; and (iv) has received a rating of superior for at least each of the last 5 years. Any person who obtains an administrative certificate with a general administrative endorsement affixed thereto under this paragraph shall not be qualified to serve in any administrative position except assistant principal.~~

(2.5) The principal endorsement shall be affixed to the administrative certificate of any holder who qualifies by:

(A) successfully completing a principal preparation program approved in accordance with Section 21-7.6 of this Code and any applicable rules;

(B) having 4 years of teaching experience; however, the State Board of Education shall allow, by rules, for fewer than 4 years of experience based on meeting standards set forth in such rules, including without limitation a review of performance evaluations or other evidence of demonstrated qualifications; and

(C) having a master's degree.

(3) The chief school business official endorsement shall be affixed to the administrative certificate of any holder who qualifies by having a Master's degree, 2 years of administrative experience in school business management or 2 years of university-approved practical experience, and a minimum of 20 semester hours of graduate credit in a program established by the State Superintendent of Education in consultation with the State Teacher Certification Board for the preparation of school business administrators. Such endorsement shall also be affixed to the

administrative certificate of any holder who qualifies by having a Master's Degree in Business Administration, Finance or Accounting from a regionally accredited institution of higher education.

After June 30, 1977, such endorsement shall be required for any individual first employed as a chief school business official.

(4) The superintendent endorsement shall be affixed to the administrative certificate of any holder who has completed 30 semester hours of graduate credit beyond the master's degree in a program for the preparation of superintendents of schools including 16 semester hours of graduate credit in professional education and who has at least 2 years experience as an administrator or supervisor in the public schools or the State Board of Education or education service regions or in nonpublic schools meeting the standards established by the State Superintendent of Education or comparable out-of-state recognition standards approved by the State Superintendent of Education and holds general supervisory or general administrative endorsement, or who has had 2 years of experience as a supervisor or administrator while holding an all-grade supervisory certificate or a certificate comparable in validity and educational and experience requirements.

After June 30, 1968, such endorsement shall be required for a superintendent of schools, except as provided in the second paragraph of this Section and in Section 34-6.

Any person appointed to the position of superintendent between the effective date of this Act and June 30, 1993 in a school district organized pursuant to Article 32 with an enrollment of at least 20,000 pupils shall be exempt from the provisions of this paragraph (4) until June 30, 1996.

(f) All official interpretations or acts of issuing or denying administrative certificates or endorsements by the State Teacher's Certification Board, State Board of Education or the State Superintendent of Education, from the passage of P.A. 81-1208 on November 8, 1979 through September 24, 1981 are hereby declared valid and legal acts in all respects and further that the purported repeal of the provisions of this Section by P.A. 81-1208 and P.A. 81-1509 is declared null and void.

(Source: P.A. 96-56, eff. 1-1-10.)

(105 ILCS 5/21-7.6 new)

Sec. 21-7.6. Principal preparation programs.

(a) It is the policy of this State that an essential element of improving student learning is supporting and employing highly effective school principals in leadership roles who improve teaching and learning and increase academic achievement and the development of all students.

(b) No later than July 1, 2014, all institutions of higher education and not-for-profit entities approved by the State Board of Education, in consultation with the State Teacher Certification Board, to offer principal preparation programs must do all of the following:

(1) Meet the standards and requirements for such programs in accordance with this Section and any rules adopted by the State Board of Education.

(2) Prepare candidates to meet approved standards for principal skills, knowledge, and responsibilities, which shall include a focus on instruction and student learning and which must be used for principal professional development, mentoring, and evaluation.

(3) Include specific requirements for (i) the selection and assessment of candidates, (ii) training in the evaluation of staff, (iii) an internship, and (iv) a partnership with one or more school districts or State-recognized, non-public schools where the chief administrator is required to have the certification necessary to be a principal in an Illinois public school and where a majority of the instructors are required to have the certification necessary to be instructors in an Illinois public school.

In accordance with subsection (a) of Section 21-7.1 of this Code, any principal preparation program offered in whole or in part by a not-for-profit entity must also be approved by the Board of Higher Education.

(c) No candidates may be admitted to an approved general administrative preparation program after September 1, 2012. Institutions of higher education currently offering general administrative preparation programs may no longer entitle principals with a general administrative endorsement after June 30, 2014.

(d) Candidates successfully completing a principal preparation program established pursuant to this Section shall obtain a principal endorsement on an administrative certificate and are eligible to work in, at a minimum, those capacities set forth in paragraph (2) of subsection (e) of Section 21-7.1 of this Code. Beginning on July 1, 2014, the general administrative endorsement shall no longer be issued. Individuals who hold a valid and registered administrative certificate with a general administrative endorsement prior to July 1, 2014 and who have served for at least one full year during the 5 years prior in a position requiring a general administrative endorsement shall, upon request to the State Board of Education and through July 1, 2015, have their respective general administrative endorsement converted to a principal endorsement. All other individuals holding a valid and registered administrative certificate with a

general administrative endorsement prior to July 1, 2014 shall have such general administrative endorsement converted to a principal endorsement upon request to the State Board of Education and by completing one of the following pathways:

(1) Take and pass a State principal assessment developed by the State Board of Education.

(2) Through July 1, 2019, complete an Illinois Administrators' Academy course designated by the State Superintendent of Education.

(3) Complete a principal preparation program established and approved pursuant to this Section and applicable rules.

Nothing in this amendatory Act of the 96th General Assembly shall prevent an individual having a general administrative endorsement from serving at any time in any position identified in paragraph (2) of subsection (e) of Section 21-7.1 of this Code.

(e) The State Board of Education may adopt rules necessary to implement and administer principal preparation programs under this Section.

Section 99. Effective date. This Act takes effect July 1, 2010."

Under the rules, the foregoing **Senate Bill No. 226**, with House Amendments numbered 1, 2, 3 and 5, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 744

A bill for AN ACT concerning gaming.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 744

House Amendment No. 3 to SENATE BILL NO. 744

Passed the House, as amended, May 26, 2010.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 744

AMENDMENT NO. 1. Amend Senate Bill 744 by replacing everything after the enacting clause with the following:

"Section 5. The Video Gaming Act is amended by changing Sections 5, 15, 20, 25, 30, 45, 55, 57, and 78 as follows:

(230 ILCS 40/5)

Sec. 5. Definitions. As used in this Act:

"Board" means the Illinois Gaming Board.

"Credit" means one, 5, 10, or 25 cents either won or purchased by a player.

"Distributor" means an individual, partnership, ~~or~~ corporation, or limited liability company licensed under this Act to buy, sell, lease, or distribute video gaming terminals or major components or parts of video gaming terminals to or from terminal operators.

"Terminal operator" means an individual, partnership, ~~or~~ corporation, or limited liability company that is licensed under this Act and that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, or licensed veterans establishments.

"Licensed technician" means an individual who is licensed under this Act to repair, service, and maintain video gaming terminals.

"Licensed terminal handler" means a person, including but not limited to an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator, who is licensed under this Act to possess or control a video gaming terminal or to have access to the inner workings of a video gaming terminal. A licensed terminal handler does not include an individual, partnership, ~~or~~ corporation, or limited liability company defined as a manufacturer, distributor, supplier, technician, or terminal operator under this Act.

"Manufacturer" means an individual, partnership, ~~or~~ corporation, or limited liability company that is

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licensed under this Act and that manufactures or assembles video gaming terminals.

"Supplier" means an individual, partnership, ~~or~~ corporation, or limited liability company that is licensed under this Act to supply major components or parts to video gaming terminals to licensed terminal operators.

"Net terminal income" means money put into a video gaming terminal minus credits paid out to players.

"Video gaming terminal" means any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

"Licensed establishment" means any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises. "Licensed establishment" does not include a facility operated by an organization licensee, an intertrack wagering licensee, or an intertrack wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or a riverboat licensed under the Riverboat Gambling Act.

"Licensed fraternal establishment" means the location where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.

"Licensed veterans establishment" means the location where a qualified veterans organization that derives its charter from a national veterans organization regularly meets.

"Licensed truck stop establishment" means a facility that is at least a 3-acre facility with a convenience store and with separate diesel islands for fueling commercial motor vehicles and parking spaces for commercial motor vehicles as defined in Section 18b-101 of the Illinois Vehicle Code.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

(230 ILCS 40/15)

Sec. 15. Minimum requirements for licensing and registration. Every video gaming terminal offered for play shall first be tested and approved pursuant to the rules of the Board, and each video gaming terminal offered in this State for play shall conform to an approved model. The Board may utilize the services of an independent outside testing laboratory for the examination of video gaming machines and associated equipment as required by this Section. Every video gaming terminal offered in this State for play must meet minimum standards set by an independent outside testing laboratory approved by the Board. Each approved model shall, at a minimum, meet the following criteria:

(1) It must conform to all requirements of federal law and regulations, including FCC

Class A Emissions Standards.

(2) It must theoretically pay out a mathematically demonstrable percentage during the expected lifetime of the machine of all amounts played, which must not be less than 80%. Video gaming terminals that may be affected by skill must meet this standard when using a method of play that will provide the greatest return to the player over a period of continuous play.

(3) It must use a random selection process to determine the outcome of each play of a game. The random selection process must meet 99% confidence limits using a standard chi-squared test for (randomness) goodness of fit.

(4) It must display an accurate representation of the game outcome.

(5) It must not automatically alter pay tables or any function of the video gaming terminal based on internal computation of hold percentage or have any means of manipulation that affects the random selection process or probabilities of winning a game.

(6) It must not be adversely affected by static discharge or other electromagnetic interference.

(7) It must be capable of detecting and displaying the following conditions during idle states or on demand: power reset; door open; and door just closed.

(8) It must have the capacity to display complete play history (outcome, intermediate play steps, credits available, bets placed, credits paid, and credits cashed out) for the most recent game played and 10 games prior thereto.

(9) The theoretical payback percentage of a video gaming terminal must not be capable of being changed without making a hardware or software change in the video gaming terminal, either on site or via the central communications system.

(10) Video gaming terminals must be designed so that replacement of parts or modules required for normal maintenance does not necessitate replacement of the electromechanical meters.

(11) It must have nonresettable meters housed in a locked area of the terminal that keep a permanent record of all cash inserted into the machine, all winnings made by the terminal

printer, credits played in for video gaming terminals, and credits won by video gaming players. The video gaming terminal must provide the means for on-demand display of stored information as determined by the Board.

(12) Electronically stored meter information required by this Section must be preserved for a minimum of 180 days after a power loss to the service.

(13) It must have one or more mechanisms that accept cash in the form of bills. The mechanisms shall be designed to prevent obtaining credits without paying by stringing, slamming, drilling, or other means. If such attempts at physical tampering are made, the video gaming terminal shall suspend itself from operating until reset.

(14) It shall have accounting software that keeps an electronic record which includes, but is not limited to, the following: total cash inserted into the video gaming terminal; the value of winning tickets claimed by players; the total credits played; the total credits awarded by a video gaming terminal; and pay back percentage credited to players of each video game.

(15) It shall be linked by a central communications system to provide auditing program information as approved by the Board. The central communications system shall use a standard industry protocol, as defined by the Gaming Standards Association, and shall have the functionality to enable the Board or its designee to activate or deactivate individual gaming devices from the central communications system. In no event may the communications system approved by the Board limit participation to only one manufacturer of video gaming terminals by either the cost in implementing the necessary program modifications to communicate or the inability to communicate with the central communications system.

(16) The Board, in its discretion, may require video gaming terminals to display Amber Alert messages if the Board makes a finding that it would be economically and technically feasible and pose no risk to the integrity and security of the central communications system and video gaming terminals.

The Board may adopt rules to establish additional criteria to preserve the integrity and security of video gaming in this State. The central communications system vendor may not hold any license issued by the Board under this Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

(230 ILCS 40/20)

Sec. 20. Direct dispensing of receipt tickets only. A video gaming terminal may not directly dispense coins, cash, tokens, or any other article of exchange or value except for receipt tickets. Tickets shall be dispensed by pressing the ticket dispensing button on the video gaming terminal at the end of one's turn or play. The ticket shall indicate the total amount of credits and the cash award, the time of day in a 24-hour format showing hours and minutes, the date, the terminal serial number, the sequential number of the ticket, and an encrypted validation number from which the validity of the prize may be determined. The player shall turn in this ticket to the appropriate person at the licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment to receive the cash award. The cost of the credit shall be one cent, 5 cents, 10 cents, or 25 cents, and the maximum wager played per hand shall not exceed \$2. No cash award for the maximum wager on any individual hand shall exceed \$500.

(Source: P.A. 96-34, eff. 7-13-09.)

(230 ILCS 40/25)

Sec. 25. Restriction of licensees.

(a) Manufacturer. A person may not be licensed as a manufacturer of a video gaming terminal in Illinois unless the person has a valid manufacturer's license issued under this Act. A manufacturer may only sell video gaming terminals for use in Illinois to persons having a valid distributor's license.

(b) Distributor. A person may not sell, distribute, or lease or market a video gaming terminal in Illinois unless the person has a valid distributor's license issued under this Act. A distributor may only sell video gaming terminals for use in Illinois to persons having a valid distributor's or terminal operator's license.

(c) Terminal operator. A person may not own, maintain, or place a video gaming terminal unless he has a valid terminal operator's license issued under this Act. A terminal operator may only place video gaming terminals for use in Illinois in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, and licensed veterans establishments. No terminal operator may give anything of value, including but not limited to a loan or financing arrangement, to a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment as any incentive or inducement to locate video terminals in that establishment. Of the after-tax profits from a video gaming terminal, 50% shall be paid to the terminal operator and 50% shall

be paid to the licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, ~~notwithstanding~~ ~~notwithstanding~~ any agreement to the contrary. ~~No terminal operator may own or have a substantial interest in more than 5% of the video gaming terminals licensed in this State.~~ A video terminal operator that violates one or more requirements of this subsection is guilty of a Class 4 felony and is subject to termination of his or her license by the Board.

(d) Licensed technician. A person may not service, maintain, or repair a video gaming terminal in this State unless he or she (1) has a valid technician's license issued under this Act, (2) is a terminal operator, or (3) is employed by a terminal operator, distributor, or manufacturer.

(d-5) Licensed terminal handler. No person, including, but not limited to, an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator licensed pursuant to this Act, shall have possession or control of a video gaming terminal, or access to the inner workings of a video gaming terminal, unless that person possesses a valid terminal handler's license issued under this Act.

(e) Licensed establishment. No video gaming terminal may be placed in any licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment unless the owner or agent of the owner of the licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment has entered into a written use agreement with the terminal operator for placement of the terminals. A copy of the use agreement shall be on file in the terminal operator's place of business and available for inspection by individuals authorized by the Board. A licensed establishment, licensed truck stop establishment, licensed veterans establishment, or licensed fraternal establishment may operate up to 5 video gaming terminals on its premises at any time.

(f) (Blank).

(g) Financial interest restrictions. As used in this Act, "substantial interest" in a partnership, a corporation, an organization, an association, ~~or~~ a business, or a limited liability company means:

(A) When, with respect to a sole proprietorship, an individual or his or her spouse owns, operates, manages, or conducts, directly or indirectly, the organization, association, or business, or any part thereof; or

(B) When, with respect to a partnership, the individual or his or her spouse shares in any of the profits, or potential profits, of the partnership activities; or

(C) When, with respect to a corporation, an individual or his or her spouse is an officer or director, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of any class of stock of the corporation; or

(D) When, with respect to an organization not covered in (A), (B) or (C) above, an individual or his or her spouse is an officer or manages the business affairs, or the individual or his or her spouse is the owner of or otherwise controls 10% or more of the assets of the organization; or

(E) When an individual or his or her spouse furnishes 5% or more of the capital, whether in cash, goods, or services, for the operation of any business, association, or organization during any calendar year; or -

(F) When, with respect to a limited liability company, an individual or his or her spouse is a member, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of the membership interest of the limited liability company.

For purposes of this subsection (g), "individual" includes all individuals or their spouses whose combined interest would qualify as a substantial interest under this subsection (g) and whose activities with respect to an organization, association, or business are so closely aligned or coordinated as to constitute the activities of a single entity.

(h) Location restriction. A licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment that is (i) located within 1,000 feet of a facility operated by an organization ~~organizational~~ licensee, an inter-track ~~intertrack~~ wagering licensee, or an inter-track ~~intertrack~~ wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or the home dock of a riverboat licensed under the Riverboat Gambling Act or (ii) located within ~~with a~~ 100 feet of a school or a place of worship under the Religious Corporation Act, is ineligible to operate a video gaming terminal.

(i) Undue economic concentration. In addition to considering all other requirements under this Act, in deciding whether to approve the operation of video gaming terminals by a terminal operator in a location, the Board shall consider the impact of any economic concentration of such operation of video gaming terminals. The Board shall not allow a terminal operator to operate video gaming terminals if the Board determines such operation will result in undue economic concentration.

For purposes of this Section, "undue economic concentration" means that a terminal operator would

have such actual or potential influence over video gaming terminals in Illinois as to:

- (1) substantially impede or suppress competition among terminal operators;
- (2) adversely impact the economic stability of the video gaming industry in Illinois; or
- (3) negatively impact the purposes of the Video Gaming Act.

The Board shall adopt rules concerning undue economic concentration with respect to the operation of video gaming terminals in Illinois. The rules shall include, but not be limited to, (i) limitations on the number of video gaming terminals operated by any terminal operator within a defined geographic radius and (ii) guidelines on the discontinuation of operation of any such video gaming terminals the Board determines will cause undue economic concentration.

(j) ~~(j)~~ The provisions of the Illinois Antitrust Act are fully and equally applicable to the activities of any licensee under this Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; revised 8-17-09.)

(230 ILCS 40/30)

Sec. 30. Multiple types of licenses prohibited. A video gaming terminal manufacturer may not be licensed as a video gaming terminal operator or own, manage, or control a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, and shall be licensed to sell only to persons having a valid distributor's license or, if the manufacturer also holds a valid distributor's license, to sell, distribute, lease, or market to persons having a valid terminal operator's license ~~only to sell to distributors~~. A video gaming terminal distributor may not be licensed as a video gaming terminal operator or own, manage, or control a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, and shall only contract with a licensed terminal operator. A video gaming terminal operator may not be licensed as a video gaming terminal manufacturer or distributor or own, manage, or control a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, and shall be licensed only to contract with licensed distributors and licensed establishments, licensed truck stop establishments, licensed fraternal establishments, and licensed veterans establishments. An owner or manager of a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment may not be licensed as a video gaming terminal manufacturer, distributor, or operator, and shall only contract with a licensed operator to place and service this equipment.

(Source: P.A. 96-34, eff. 7-13-09.)

(230 ILCS 40/45)

Sec. 45. Issuance of license.

(a) The burden is upon each applicant to demonstrate his suitability for licensure. Each video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, and licensed veterans establishment shall be licensed by the Board. The Board may issue or deny a license under this Act to any person pursuant to the same criteria set forth in Section 9 of the Riverboat Gambling Act.

(b) Each person seeking and possessing a license as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall submit to a background investigation conducted by the Board with the assistance of the State Police or other law enforcement. The background investigation shall include each beneficiary of a trust, each partner of a partnership, and each director and officer and all stockholders of 5% or more in a parent or subsidiary corporation of a video gaming terminal manufacturer, distributor, supplier, operator, or licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment.

(c) Each person seeking and possessing a license as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment shall disclose the identity of every person, association, trust, ~~or~~ corporation, or limited liability company having a greater than 1% direct or indirect pecuniary interest in the video gaming terminal operation ~~for~~ for which the license is sought. If the disclosed entity is a trust, the application shall disclose the names and addresses of the beneficiaries; if a corporation, the names and addresses of all stockholders and directors; if a limited liability company, the names and addresses of all members; or if a partnership, the names and addresses of all partners, both general and limited.

(d) No person may be licensed as a video gaming terminal manufacturer, distributor, supplier, operator, handler, licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment if that person has been found by the Board to:

- (1) have a background, including a criminal record, reputation, habits, social or

business associations, or prior activities that pose a threat to the public interests of the State or to the security and integrity of video gaming;

(2) create or enhance the dangers of unsuitable, unfair, or illegal practices, methods, and activities in the conduct of video gaming; or

(3) present questionable business practices and financial arrangements incidental to the conduct of video gaming activities.

(e) Any applicant for any license under this Act has the burden of proving his or her qualifications to the satisfaction of the Board. The Board may adopt rules to establish additional qualifications and requirements to preserve the integrity and security of video gaming in this State.

(f) A non-refundable application fee shall be paid at the time an application for a license is filed with the Board in the following amounts:

(1) Manufacturer.....	\$5,000
(2) Distributor.....	\$5,000
(3) Terminal operator.....	\$5,000
(4) Supplier.....	\$2,500
(5) Technician.....	\$100
(6) Terminal Handler.....	\$50

(g) The Board shall establish an annual fee for each license not to exceed the following:

(1) Manufacturer.....	\$10,000
(2) Distributor.....	\$10,000
(3) Terminal operator.....	\$5,000
(4) Supplier.....	\$2,000
(5) Technician.....	\$100
(6) Licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment.....	\$100
(7) Video gaming terminal.....	\$100
(8) Terminal Handler.....	\$50

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; revised 8-17-09.)
(230 ILCS 40/55)

Sec. 55. Precondition for licensed ~~location establishment~~. In all cases of application for a licensed ~~location establishment~~, to operate a video gaming terminal, each ~~licensed establishment~~ ~~licensed truck stop establishment~~, licensed fraternal establishment, or licensed veterans establishment shall possess a valid liquor license issued by the Illinois Liquor Control Commission in effect at the time of application and at all times thereafter during which a video gaming terminal is made available to the public for play at that location. Video gaming terminals in a licensed location shall be operated only during the same hours of operation generally permitted to holders of a license under the Liquor Control Act of 1934 within the unit of local government in which they are located. A licensed truck stop establishment that does not hold a liquor license may operate video gaming terminals on a continuous basis.

(Source: P.A. 96-34, eff. 7-13-09.)

(230 ILCS 40/57)

Sec. 57. Insurance. Each ~~terminal operator~~ ~~licensed establishment~~, ~~licensed truck stop establishment~~, ~~licensed fraternal establishment~~, and ~~licensed veterans establishment~~ shall maintain liability insurance on any gaming device that it places in a licensed video gaming location on its premises in an amount set by the Board.

(Source: P.A. 96-34, eff. 7-13-09.)

(230 ILCS 40/78)

Sec. 78. Authority of the Illinois Gaming Board.

(a) The Board shall have jurisdiction over and shall supervise all gaming operations governed by this Act. The Board shall have all powers necessary and proper to fully and effectively execute the provisions of this Act, including, but not limited to, the following:

(1) To investigate applicants and determine the eligibility of applicants for licenses and to select among competing applicants the applicants which best serve the interests of the citizens of Illinois.

(2) To have jurisdiction and supervision over all video gaming operations in this State and all persons in establishments where video gaming operations are conducted.

(3) To adopt rules for the purpose of administering the provisions of this Act and to prescribe rules, regulations, and conditions under which all video gaming in the State shall be conducted. Such rules and regulations are to provide for the prevention of practices detrimental to the

public interest and for the best interests of video gaming, including rules and regulations regarding the inspection of such establishments and the review of any permits or licenses necessary to operate an establishment under any laws or regulations applicable to establishments and to impose penalties for violations of this Act and its rules.

(b) ~~The~~ ~~Within 60 days after the effective date of this amendatory Act of the 96th General Assembly,~~ the Board shall adopt emergency rules to administer this Act in accordance with Section 5-45 of the Illinois Administrative Procedure Act. For the purposes of the Illinois Administrative Procedure Act, the General Assembly finds that the adoption of rules to implement this Act is deemed an emergency and necessary to the public interest, safety, and welfare.
(Source: P.A. 96-38, eff. 7-13-09.)

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect upon becoming law."

AMENDMENT NO. 3 TO SENATE BILL 744

AMENDMENT NO. 3. Amend Senate Bill 744, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Video Gaming Act is amended by changing Sections 5 and 25 as follows:
(230 ILCS 40/5)

Sec. 5. Definitions. As used in this Act:

"Board" means the Illinois Gaming Board.

"Credit" means 5, 10, or 25 cents either won or purchased by a player.

"Distributor" means an individual, partnership, or corporation licensed under this Act to buy, sell, lease, or distribute video gaming terminals or major components or parts of video gaming terminals to or from terminal operators.

"Terminal operator" means an individual, partnership or corporation that is licensed under this Act and that owns, services, and maintains video gaming terminals for placement in licensed establishments, licensed fraternal establishments, or licensed veterans establishments.

"Licensed technician" means an individual who is licensed under this Act to repair, service, and maintain video gaming terminals.

"Licensed terminal handler" means a person, including but not limited to an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator, who is licensed under this Act to possess or control a video gaming terminal or to have access to the inner workings of a video gaming terminal. A licensed terminal handler does not include an individual, partnership, or corporation defined as a manufacturer, distributor, supplier, technician, or terminal operator under this Act.

"Manufacturer" means an individual, partnership, or corporation that is licensed under this Act and that manufactures or assembles video gaming terminals.

"Supplier" means an individual, partnership, or corporation that is licensed under this Act to supply major components or parts to video gaming terminals to licensed terminal operators.

"Net terminal income" means money put into a video gaming terminal minus credits paid out to players.

"Video gaming terminal" means any electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

"Licensed establishment" means any licensed retail establishment where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises and includes any such establishment that has a contractual relationship with an inter-track wagering location licensee licensed under the Illinois Horse Racing Act of 1975, provided any contractual relationship shall not include any transfer or offer of revenue from the operation of video gaming under this Act to any licensee licensed under the Illinois Horse Racing Act of 1975. Provided, however, that the licensed establishment that has such a contractual relationship with an inter-track wagering location licensee may not, itself, be (i) an inter-track wagering location licensee, (ii) the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975, or (iii) the corporate subsidiary of a corporation that is also

the corporate parent or subsidiary of any licensee licensed under the Illinois Horse Racing Act of 1975. "Licensed establishment" does not include a facility operated by an organization licensee, an ~~inter-track~~ ~~intertrack~~ wagering licensee, or an ~~inter-track~~ ~~intertrack~~ wagering location licensee licensed under the Illinois Horse Racing Act of 1975 or a riverboat licensed under the Riverboat Gambling Act, except as provided in this paragraph.

"Licensed fraternal establishment" means the location where a qualified fraternal organization that derives its charter from a national fraternal organization regularly meets.

"Licensed veterans establishment" means the location where a qualified veterans organization that derives its charter from a national veterans organization regularly meets.

"Licensed truck stop establishment" means a facility that is at least a 3-acre facility with a convenience store and with separate diesel islands for fueling commercial motor vehicles and parking spaces for commercial motor vehicles as defined in Section 18b-101 of the Illinois Vehicle Code.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09.)

(230 ILCS 40/25)

Sec. 25. Restriction of licensees.

(a) Manufacturer. A person may not be licensed as a manufacturer of a video gaming terminal in Illinois unless the person has a valid manufacturer's license issued under this Act. A manufacturer may only sell video gaming terminals for use in Illinois to persons having a valid distributor's license.

(b) Distributor. A person may not sell, distribute, or lease or market a video gaming terminal in Illinois unless the person has a valid distributor's license issued under this Act. A distributor may only sell video gaming terminals for use in Illinois to persons having a valid distributor's or terminal operator's license.

(c) Terminal operator. A person may not own, maintain, or place a video gaming terminal unless he has a valid terminal operator's license issued under this Act. A terminal operator may only place video gaming terminals for use in Illinois in licensed establishments, licensed truck stop establishments, licensed fraternal establishments, and licensed veterans establishments. No terminal operator may give anything of value, including but not limited to a loan or financing arrangement, to a licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment as any incentive or inducement to locate video terminals in that establishment. Of the after-tax profits from a video gaming terminal, 50% shall be paid to the terminal operator and 50% shall be paid to the licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment, ~~notwithstanding~~ ~~notwithstanding~~ any agreement to the contrary. No terminal operator may own or have a substantial interest in more than 5% of the video gaming terminals licensed in this State. A video terminal operator that violates one or more requirements of this subsection is guilty of a Class 4 felony and is subject to termination of his or her license by the Board.

(d) Licensed technician. A person may not service, maintain, or repair a video gaming terminal in this State unless he or she (1) has a valid technician's license issued under this Act, (2) is a terminal operator, or (3) is employed by a terminal operator, distributor, or manufacturer.

(d-5) Licensed terminal handler. No person, including, but not limited to, an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator licensed pursuant to this Act, shall have possession or control of a video gaming terminal, or access to the inner workings of a video gaming terminal, unless that person possesses a valid terminal handler's license issued under this Act.

(e) Licensed establishment. No video gaming terminal may be placed in any licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment unless the owner or agent of the owner of the licensed establishment, licensed veterans establishment, licensed truck stop establishment, or licensed fraternal establishment has entered into a written use agreement with the terminal operator for placement of the terminals. A copy of the use agreement shall be on file in the terminal operator's place of business and available for inspection by individuals authorized by the Board. A licensed establishment, licensed truck stop establishment, licensed veterans establishment, or licensed fraternal establishment may operate up to 5 video gaming terminals on its premises at any time.

(f) (Blank).

(g) Financial interest restrictions. As used in this Act, "substantial interest" in a partnership, a corporation, an organization, an association, or a business means:

(A) When, with respect to a sole proprietorship, an individual or his or her spouse owns, operates, manages, or conducts, directly or indirectly, the organization, association, or business, or any part thereof; or

(B) When, with respect to a partnership, the individual or his or her spouse shares

in any of the profits, or potential profits, of the partnership activities; or

(C) When, with respect to a corporation, an individual or his or her spouse is an officer or director, or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of any class of stock of the corporation; or

(D) When, with respect to an organization not covered in (A), (B) or (C) above, an individual or his or her spouse is an officer or manages the business affairs, or the individual or his or her spouse is the owner of or otherwise controls 10% or more of the assets of the organization; or

(E) When an individual or his or her spouse furnishes 5% or more of the capital, whether in cash, goods, or services, for the operation of any business, association, or organization during any calendar year.

(h) Location restriction. A licensed establishment, licensed truck stop establishment, licensed fraternal establishment, or licensed veterans establishment that is (i) located within 1,000 feet of a facility operated by an organizational licensee ~~or~~ ; an ~~inter-track~~ ~~intertrack~~ ~~wagering~~ ~~location~~ ~~licensee~~ ~~an intertrack~~ ~~wagering~~ ~~location~~ ~~licensee~~ licensed under the Illinois Horse Racing Act of 1975, or the home dock of a riverboat licensed under the Riverboat Gambling Act or (ii) located within ~~with a~~ 100 feet of a school or a place of worship under the Religious Corporation Act, is ineligible to operate a video gaming terminal.

(i) The provisions of the Illinois Antitrust Act are fully and equally applicable to the activities of any licensee under this Act.

(Source: P.A. 96-34, eff. 7-13-09; 96-37, eff. 7-13-09; 96-38, eff. 7-13-09; revised 8-17-09.)

Section 99. Effective date. This Act takes effect upon becoming law."

Under the rules, the foregoing **Senate Bill No. 744**, with House Amendment No. 1, 3, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 2101

A bill for AN ACT concerning State government.

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 2101

House Amendment No. 3 to SENATE BILL NO. 2101

Passed the House, as amended, May 26, 2010.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 2101

AMENDMENT NO. 1. Amend Senate Bill 2101 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Bank Examiners' Education Foundation Act is amended by changing Section 1 as follows:

(20 ILCS 3210/1) (from Ch. 17, par. 401)

Sec. 1. The Illinois Bank Examiners' Education Foundation is hereby created for ~~the~~ ~~the~~ purpose of providing a means through which funds may be raised, invested and disbursed for continuing education and professional training activity for the examination employees of the Commissioner's office.

(Source: P.A. 84-1127.)"

AMENDMENT NO. 3 TO SENATE BILL 2101

AMENDMENT NO. 3. Amend Senate Bill 2101, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The State Finance Act is amended by adding Section 6z-11.5 as follows:

(30 ILCS 105/6z-11.5 new)

Sec. 6z-11.5. Transfers to Illinois Department of Financial and Professional Regulation funds. On and after July 1, 2010 and through June 30, 2011, the Illinois Department of Financial and Professional

[May 27, 2010]

Regulation may transfer moneys on deposit in the Illinois Bank Examiners' Education Fund to funds subject to the authority of the Illinois Department of Financial and Professional Regulation. The aggregate amount of funds transferred from the Fund shall not exceed \$4,200,000, which is the projected fiscal year 2011 deficiency of funds required to satisfy expenditures properly supported by appropriations from the Savings and Residential Finance Regulatory Fund.

Section 99. Effective date. This Act takes effect July 1, 2010."

Under the rules, the foregoing **Senate Bill No. 2101**, with House Amendments numbered 1 and 3, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3215

A bill for AN ACT concerning State government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 2 to SENATE BILL NO. 3215

Passed the House, as amended, May 26, 2010.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 2 TO SENATE BILL 3215

AMENDMENT NO. 2. Amend Senate Bill 3215 by replacing everything after the enacting clause with the following:

"Section 5. If and only if Senate Bill 28 (as enrolled) of the 96th General Assembly becomes law, the Metropolitan Pier and Exposition Authority Act is amended by changing Sections 5.4, 5.6, 14.2, 14.5, and 25.4 as follows:

(70 ILCS 210/5.4)

Sec. 5.4. Exhibitor rights and work rule reforms.

(a) Legislative findings.

(1) The Authority is a political subdivision of the State of Illinois subject to the plenary authority of the General Assembly and was created for the benefit of the general public to promote business, industry, commerce, and tourism within the City of Chicago and the State of Illinois.

(2) The Authority owns and operates McCormick Place and Navy Pier, which have collectively 2.8 million square feet of exhibit hall space, 700,000 square feet of meeting room space.

(3) The Authority is a vital economic engine that annually generates 65,000 jobs and \$8 billion of economic activity for the State of Illinois through the trade shows, conventions, and other meetings held and attended at McCormick Place and Navy Pier.

(4) The Authority supports the operation of McCormick Place and Navy Pier through not only fees on the rental of exhibit and meeting room space, electrical and utility service, food and beverage services, and parking, but also hotel room rates paid by persons staying at the Authority-owned hotel.

(5) The Authority has a compelling and proprietary interest in the success, competitiveness, and continued viability of McCormick Place and Navy Pier as the owner and operator of the convention facilities and its obligation to ensure that these facilities produce sufficient operating revenues.

(6) The Authority's convention facilities were constructed and renovated through the issuance of public bonds that are directly repaid by State hotel, auto rental, food and beverage, and airport and departure taxes paid principally by persons who attend, work at, exhibit, and provide goods and services to conventions, shows, exhibitions, and meetings at McCormick Place and Navy Pier.

(7) State law also dedicates State occupation and use tax revenues to fulfill debt service obligations on these bonds should State hotel, auto rental, food and beverage, and airport and

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departure taxes fail to generate sufficient revenue.

(8) Through fiscal year 2010, \$55 million in State occupation and use taxes will have been allocated to make debt service payments on the Authority's bonds due to shortfalls in State hotel, auto rental, food and beverage, and airport and departure taxes. These shortfalls are expected to continue in future fiscal years and would require the annual dedication of approximately \$40 million in State occupation and use taxes to fulfill debt service payments.

(9) In 2009, managers of the International Plastics Showcase announced that 2009 was the last year they would host their exhibition at McCormick Place, as they had since 1971, because union labor work rules and electric and food service costs make it uneconomical for the show managers and exhibitors to use McCormick Place as a convention venue as compared to convention facilities in Orlando, Florida and Las Vegas, Nevada. The exhibition used over 740,000 square feet of exhibit space, attracted over 43,000 attendees, generated \$4.8 million of revenues to McCormick Place, and raised over \$200,000 in taxes to pay debt service on convention facility bonds.

(10) After the International Plastics Showcase exhibition announced its departure, other conventions and exhibitions managers and exhibitors also stated that they would not return to McCormick Place and Navy Pier for the same reasons cited by the International Plastics Showcase exhibition. In addition, still other managers and exhibitors stated that they would not select McCormick Place as a convention venue unless the union labor work rules and electrical and food service costs were made competitive with those in Orlando and Las Vegas.

(11) The General Assembly created the Joint Committee on the Metropolitan Pier and Exposition Authority to conduct hearings and obtain facts to determine how union labor work rules and electrical and food service costs make McCormick Place and Navy Pier uneconomical as a convention venue.

(12) Witness testimony and fact-gathering revealed that while the skilled labor provided by trade unions at McCormick Place and Navy Pier is second to none and is actually "exported" to work on conventions and exhibitions held in Orlando and Las Vegas, restrictive work rules on the activities show exhibitors may perform present exhibitors and show managers with an uninviting atmosphere and result in significantly higher costs than competing convention facilities.

(13) Witness testimony and fact-gathering also revealed that the mark-up on electrical and food service imposed by the Authority to generate operating revenue for McCormick Place and Navy Pier also substantially increased exhibitor and show organizer costs to the point of excess when compared to competing convention facilities.

(14) Witness testimony and fact-gathering further revealed that the additional departure of conventions, exhibitions, and trade shows from Authority facilities threatens the continued economic viability of these facilities and the stability of sufficient tax revenues necessary to support debt service.

(15) In order to safeguard the Authority's and State of Illinois' shared compelling and proprietary interests in McCormick Place and Navy Pier and in response to local economic needs, the provisions contained in this Section set forth mandated changes and reforms to restore and ensure that (i) the Authority's facilities remain economically competitive with other convention venues and (ii) conventions, exhibitions, trade shows, and other meetings are attracted to and retained at Authority facilities by producing an exhibitor-friendly environment and by reducing costs for exhibitors and show managers.

(16) The provisions set forth in this Section are reasonable, necessary, and narrowly tailored to safeguard the Authority's and State of Illinois' shared and compelling proprietary interests and respond to local economic needs as compared to the available alternative set forth in House Bill 4900 of the 96th General Assembly and proposals submitted to the Joint Committee on the Metropolitan Pier and Exposition Authority. Action by the State offers the only comprehensive means to remedy the circumstances set forth in these findings, despite the concerted and laudable voluntary efforts of the Authority, labor unions, show contractors, show managers, and exhibitors.

(b) Definitions. As used in this Section:

"Booth" means the demarcated exhibit space of an exhibitor on Authority premises.

"Contractor" or "show contractor" means any person who contracts with the Authority, an exhibitor, or with the manager of a show to provide any services related to drayage, rigging, carpentry, decorating, electrical, maintenance, mechanical, and food and beverage services or related trades and duties for shows on Authority premises.

"Exhibitor" or "show exhibitor" means any person who contracts with the Authority or with a manager or contractor of a show held or to be held on Authority premises.

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"Exhibitor employee" means any person who has been employed by the exhibitor as a full-time employee for a minimum of 6 months before the show's opening date.

"Hand tools" means cordless tools, power tools, and other tools as determined by the Authority.

"Licensee" means any entity that uses the Authority's premises.

"Manager" or "show manager" means any person that owns or manages a show held or to be held on Authority premises.

"Personally owned vehicles" means the vehicles owned by show exhibitors or the show management, excluding commercially registered trucks, vans, and other vehicles as determined by the Authority.

"Premises" means grounds, buildings, and facilities of the Authority.

"Show" means a convention, exposition, trade show, event, or meeting held on Authority premises by a show manager or show contractor on behalf of a show manager.

"Union employees" means workers represented by a labor organization, as defined in the National Labor Relations Act, providing skilled labor services to exhibitors, a show manager, or a show contractor on Authority premises.

(c) Exhibitor rights.

In order to control costs, increase the competitiveness, and promote and provide for the economic stability of Authority premises, all Authority contracts with exhibitors, contractors, and managers shall include the following minimum terms and conditions:

(1) Consistent with safety and the skills and training necessary to perform the task, as determined by the Authority, an exhibitor and exhibitor employees are permitted in a booth of any size with the use of the exhibitor's ladders and hand tools to:

(i) set-up and dismantle exhibits displayed on Authority premises;

(ii) assemble and disassemble materials, machinery, or equipment on Authority premises; and

(iii) install all signs, graphics, props, balloons, other decorative items, and the exhibitor's own drapery, including the skirting of exhibitor tables, on the Authority's premises.

(2) An exhibitor and exhibitor employees are permitted in a booth of any size to deliver, set-up, plug in, interconnect, and operate an exhibitor's electrical equipment, computers, audio-visual devices, and other equipment.

(3) An exhibitor and exhibitor employees are permitted in a booth of any size to skid, position, and re-skid all exhibitor material, machinery, and equipment on Authority premises.

(4) An exhibitor and exhibitor employees are prohibited at any time from using scooters, forklifts, pallet jacks, condors, scissors lifts, motorized dollies, or similar motorized or hydraulic equipment on Authority premises.

(5) The Authority shall designate areas, in its discretion, where exhibitors may unload and load exhibitor materials from privately owned vehicles at Authority premises with the use of non-motorized hand trucks and dollies.

(6) On Monday through Friday for any consecutive 8-hour period during the hours of 6:00 a.m. and 10:00 p.m., union employees on Authority premises shall be paid straight-time hourly wages plus fringe benefits. Union employees shall be paid straight-time and a half hourly wages plus fringe benefits for labor services provided after any consecutive 8-hour period; provided, however, that between the hours of midnight and 6:00 a.m. union employees shall be paid double straight-time wages plus fringe benefits for labor services.

(7) On Monday through Friday for any consecutive 8-hour period during the hours of 6:00 a.m. and 10:00 p.m., a show manager or contractor shall charge an exhibitor only for labor services provided by union employees on Authority premises based on straight-time hourly wages plus fringe benefits along with a reasonable mark-up. After any consecutive 8-hour period, a show manager or contractor shall charge an exhibitor only for labor services provided by union employees based on straight-time and a half hourly wages plus fringe benefits along with a reasonable mark-up; provided, however, that between the hours of midnight and 6:00 a.m. a show manager or contractor shall charge an exhibitor only for labor services provided by union employees based on double straight-time wages plus fringe benefits along with a reasonable mark-up.

(8) On Saturdays for any consecutive 8-hour period, union employees on Authority premises shall be paid straight-time and a half hourly wages plus fringe benefits. After any consecutive 8-hour period, union employees on Authority premises shall be paid double straight-time

hourly wages plus fringe benefits; provided, however, that between the hours of midnight and 6:00 a.m. union employees shall be paid double straight-time wages plus fringe benefits for labor services.

(9) On Saturdays for any consecutive 8-hour period, a show manager or contractor shall charge an exhibitor only for labor services provided by union employees on Authority premises based on straight-time and a half hourly wages plus fringe benefits along with a reasonable mark-up. After any consecutive 8-hour period, a show manager or contractor shall charge an exhibitor only for labor services provided by union employees based on double straight-time hourly wages plus fringe benefits along with a reasonable mark-up; provided, however, that between the hours of midnight and 6:00 a.m. a show manager or contractor shall charge an exhibitor only for labor services provided by union employees based on double straight-time wages plus fringe benefits along with a reasonable mark-up.

(10) On Sundays and on State and federal holidays, union employees on Authority premises shall be paid double straight-time hourly wages plus fringe benefits.

(11) On Sundays and on State and federal holidays, a show manager or contractor shall charge an exhibitor only for labor services provided by union employees on Authority premises based on double straight-time hourly wages plus fringe benefits along with a reasonable mark-up.

(12) The Authority has the power to determine, after consultation with the Advisory Council, the work jurisdiction and scope of work of union employees on Authority premises during the move-in, move-out, and run of a show, provided that any affected labor organization may contest the Authority's determination through a binding decision of an independent, third-party arbitrator. When making the determination, the Authority or arbitrator, as the case may be, shall consider the training and skills required to perform the task, past practices on Authority premises, safety, and the need for efficiency and exhibitor satisfaction. These factors shall be considered in their totality and not in isolation. Nothing in this item permits the Authority to eliminate any labor organization representing union employees that provide labor services on the move-in, move-out, and run of the show as of the effective date of this amendatory Act of the 96th General Assembly.

(13) During the run of a show, all stewards of union employees shall be working stewards. Subject to the discretion of the Authority, no more than one working steward per labor organization representing union employees providing labor services on Authority premises shall be used per building and per show.

(14) An exhibitor or show manager may request by name specific union employees to provide labor services on Authority premises consistent with all State and federal laws. Union employees requested by an exhibitor shall take priority over union employees requested by a show manager.

(15) A show manager or show contractor on behalf of a show manager may retain an electrical contractor approved by the Authority or Authority-provisioned electrical services to provide electrical services on the premises. If a show manager or show contractor on behalf of a show manager retains Authority-provisioned electrical services, then the Authority shall offer these services at a rate not to exceed the cost of providing those services.

(16) Crew sizes for any task or operation shall not exceed 2 persons unless, after consultation with the Advisory Council, the Authority determines otherwise based on the task, skills, and training required to perform the task and on safety.

(17) An exhibitor may bring food and beverages on the premises of the Authority for personal consumption.

(18) Show managers and contractors shall comply with any audit performed under subsection (e) of this Section.

(19) A show manager or contractor shall charge an exhibitor only for labor services provided by union employees on Authority premises on a minimum half-hour basis. The Authority has the power to implement, enforce, and administer the exhibitor rights set forth in this subsection, including the promulgation of rules. The Authority also has the power to determine violations of this subsection and implement appropriate remedies, including, but not limited to, barring violators from Authority premises.

(d) Advisory Council.

(1) An Advisory Council is hereby established to ensure an active and productive dialogue between all affected stakeholders to ensure exhibitor satisfaction for conventions, exhibitions, trade shows, and meetings held on Authority premises.

(2) The composition of the Council shall be determined by the Authority consistent with its existing practice for labor-management relations.

(3) The Council shall hold meetings no less than once every 90 days.

(e) Audit of exhibitor rights.

The Authority shall retain the services of a person to complete, at least twice per calendar year, a financial statement audit and compliance attestation examination to determine and verify that the exhibitor rights set forth in this Section have produced cost reductions for exhibitors and those cost reductions have been fairly passed along to exhibitors. The financial statement audit shall be performed in accordance with generally accepted auditing standards. The compliance attestation examination shall be (i) performed in accordance with attestation standards established by the American Institute of Certified Public Accountants and shall examine the compliance with the requirements set forth in this Section and (ii) conducted by a licensed public accounting firm, selected by the Authority from a list of firms prequalified to do business with the Illinois Auditor General. Upon request, a show contractor or manager shall provide the Authority or person retained to provide auditing services with any information and other documentation reasonably necessary to perform the obligations set forth in this subsection. Upon completion, the report shall be submitted to the Authority and made publicly available on the Authority's website.

(f) Exhibitor service reforms. The Authority shall make every effort to substantially reduce exhibitor's costs for participating in shows.

(1) Any contract to provide food or beverage services in the buildings and facilities of the Authority, except Navy Pier, shall be provided at a rate not to exceed the cost established in the contract. The Board shall periodically review all food and beverage contracts.

(2) A department or unit of the Authority shall not serve as the exclusive provider of electrical services.

(3) Exhibitors shall receive a detailed statement of all costs associated with utility services, including the cost of labor, equipment, and materials.

(g) Severability. If any provision of this Section or its application to any person or circumstance is held invalid, the invalidity of that provision or application does not affect other provisions or applications of this Section that can be given effect without the invalid provision or application.

(Source: 09600SB0028enr.)

(70 ILCS 210/5.6)

Sec. 5.6. Marketing agreement.

(a) The Authority shall enter into a marketing agreement with a not-for-profit organization headquartered in Chicago and recognized by the Department of Commerce and Economic Opportunity as a certified local tourism and convention bureau entitled to receive State tourism grant funds, provided the bylaws of the organization establish a board of the organization that is comprised of 25 members serving 3-year staggered terms, including the following:

(1) a Chair of the board of the organization appointed by the Mayor of the City of Chicago from among the business and civic leaders of Chicago who are not engaged in the hospitality business or who have not served as a member of the Board or as chief executive officer of the Authority;

(2) the chairperson of the interim board or Board of the Authority, or his or her designee;

(3) no more than 5 members from the hotel industry;

(4) no more than 2 members from the restaurant or attractions industry;

(5) no more than 2 members employed by or representing an entity responsible for a trade show;

(6) no more than 2 members representing unions; ~~and~~

~~(7) no more than 2 members from the attractions industry; and~~

~~(8) (7) the Director of the Illinois Department of Commerce and Economic Opportunity, ex officio.~~

Persons with a real or apparent conflict of interest shall not be appointed to the board. Members of the board of the organization shall not serve more than 2 terms. The bylaws shall require the following: (i) that the Chair of the organization name no less than 5 and no more than 9 members to the Executive Committee of the organization, one of whom must be the chairperson of the interim board or Board of the Authority, and (ii) a provision concerning conflict of interest and a requirement that a member

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abstain from participating in board action if there is a threat to the independence of judgment created by any conflict of interest or if participation is likely to have a negative effect on public confidence in the integrity of the board.

(b) The Authority shall notify the Department of Revenue within 10 days after entering into a contract pursuant to this Section.

(Source: 09600SB0028enr.)

(70 ILCS 210/14.2)

Sec. 14.2. Ethical conduct.

(a) The Trustee, members of the interim board, members of the Board, and all employees of the Authority shall comply with the provisions of the Illinois Governmental Ethics Act and carry out duties and responsibilities in a manner that preserves the public trust and confidence in the Authority. The Trustee, members of the interim board, members of the Board, and all employees of the Authority, including the spouse and immediate family members of such person shall not:

(1) use or attempt to use their position to secure or attempt to secure any privilege, advantage, favor, or influence for himself or herself or others;

(2) accept for personal use any gift, gratuity, service, compensation, travel, lodging, or thing of value, with the exception of unsolicited items of an incidental nature, from any person, corporation, or entity doing business with the Authority;

(3) hold or pursue employment, office, position, business, or occupation that may conflict with his or her official duties;

(4) influence any person or corporation doing business with the Authority to hire or contract with any person or corporation for any compensated work;

(5) engage in any activity that constitutes a conflict of interest; or

(6) have a financial interest, directly or indirectly, in any contract or subcontract for the performance of any work for the Authority or a party to a contract with the Authority, except this does not apply to an interest in any such entity through an indirect means, such as through a mutual fund.

(b) The Board shall develop an annual ethics training program for members of the Board and all employees of the Authority.

(c) No Trustee, member on the interim board, Board, or an employee of the Authority, or spouse or immediate family member living with such person, shall, within a period of one year immediately after termination of service or employment, knowingly accept employment or receive compensation or fees for services from a person or entity if the Trustee, member, or employee participated personally or substantially in the award of a contract to that person or entity or in making a licensing decision with regard to that person or entity. Nothing in this amendatory Act of the 96th General Assembly shall preclude an employee of the Authority from accepting employment from the private manager contracted to operate the Authority, provided the employee did not participate personally or substantially in the award of the contract to the private manager.

(d) Notwithstanding any other provision of this Act, the Authority shall not enter into an agreement for consulting services with or provide compensation or fees for consulting services to the chief executive officer on April 1, 2010, a member of the interim board on April 1, 2010, or any member of the interim board or Board appointed on or after the effective date of this amendatory Act of the 96th General Assembly.

(Source: 09600SB0028enr.)

(70 ILCS 210/14.5)

Sec. 14.5. Trustee of the Authority.

(a) Beginning on the effective date of this amendatory Act of the 96th General Assembly, the Authority shall be governed by a Trustee for a term of 18 months or until the Board created in this amendatory Act of the 96th General Assembly appoints a chief executive officer, whichever is longer. The James Reilly shall serve as the Trustee of the Authority shall immediately and assume all duties and powers of the Board and the chief executive officer. The Trustee shall take all actions necessary to carry into effect the provisions of this Act and this amendatory Act of the 96th General Assembly. The Trustee shall receive an annual salary equal to the current salary of the chief executive officer, minus 5%.

As provided in Senate Bill 28 of the 96th General Assembly, the Trustee of the Authority is James Reilly, who served as the Chief Operating Officer of the Authority from 1989 to 1999, served as the Chief Operating Officer of the Chicago Convention and Tourism Bureau from 1999 to 2004, and served as Chairman of the Regional Transportation Authority Board. James Reilly may be removed as Trustee only by a joint resolution of the General Assembly approved by a majority of members elected to each chamber; and the General Assembly shall thereupon notify the Governor, Trustee, and interim board

upon the adoption of a joint resolution creating a vacancy in the position of Trustee of the Authority.

(a-5) In the case of a vacancy in the office of Trustee of the Authority, the Governor, with the advice and consent of the Senate, shall appoint a Trustee within 5 calendar days. If the vacancy occurs during a recess of the Senate, the Governor shall make a temporary appointment within 5 calendar days and the person shall serve until the next meeting of the Senate, when the Governor shall nominate some person to fill the office of Trustee. Any person so nominated who is confirmed by the Senate shall hold the office of Trustee during the remainder of the term as provided for in this Section.

Any Trustee of the Authority appointed by the Governor, with the advice and consent of the Senate, shall be subject to the Governor's removal power provided for under Section 10 of Article V of the Illinois Constitution.

(a-10) If the Trustee of the Authority, or the guardian of his or her estate and person, notifies the Governor that he or she is unable to perform the duties vested by law in the Trustee, then the Governor may designate some person as acting Trustee to execute and discharge those duties. When the Trustee of the Authority is prepared to resume his or her duties, he or she, or the guardian of his or her estate and person, shall do so by notifying the Governor.

(b) It shall be the duty of the Trustee:

(1) to ensure the proper administration of the Authority;

(2) to submit to the interim board monthly reports detailing actions taken and the general status of the Authority;

(3) to report to the General Assembly and Governor no later than January 1, 2011, whether Navy Pier should remain within the control of the Authority or serve as an entity independent from the Authority;

(4) to enter into an agreement with a contractor or private manager to operate the buildings and facilities of the Authority, provided that the agreement is procured using a request for proposal process in accordance with a manner substantially similar to the Illinois Procurement Code;

(5) to enter into any agreements to license naming rights of any building or facility of the Authority, provided the Trustee determines such an agreement is in the best interest of the Authority;

(6) to ensure the proper implementation, administration, and enforcement of Section 5.4 of this Act; and

(7) to ensure that any contract of the Authority to provide food or beverage in the buildings and facilities of the Authority, except Navy Pier, shall be provided at a rate not to exceed the cost established in the contract.

(c) The Trustee shall notify the interim board prior to entering into an agreement for a term of more than 24 months or with a total value in excess of \$100,000. Notification shall include the purpose of the agreement, a description of the agreement, disclosure of parties to the agreement, and the total value of the agreement. Within 10 days after receiving notice, the interim board may prohibit the Trustee from entering into the agreement by a resolution approved by at least 5 members of the interim board. The interim board may veto any other action of the Trustee by a resolution approved by at least 5 members of the interim board, provided that the resolution is adopted within 30 days after the action.

(d) Any provision of this Act that requires approval by the Chair of the Board or at least the approval of a majority of the Board shall be deemed approved if the Trustee approves the action, subject to the restrictions in subsection (c).

(Source: 09600SB0028enr.)

(70 ILCS 210/25.4)

Sec. 25.4. Contracts for professional services.

(a) When the Authority proposes to enter into a contract or agreement for professional services, other than the marketing agreement required in Section 5.6, the Authority shall use a request for proposal process in accordance with a manner substantially similar to the Illinois Procurement Code.

(b) Any person that submits a response to a request for proposals under this Section shall disclose in the response the name of each individual having a beneficial interest directly or indirectly of more than 7 1/2% in such person and, if such person is a corporation, the names of each of its officers and directors. The person shall notify the Board of any changes in its ownership or its officers or directors at the time such changes occur if the change occurs during the pendency of a proposal or a contract.

(c) All contracts and agreements under this Section shall be authorized and approved by the Board and shall be set forth in a writing executed by the contractor and the Authority. No payment shall be made under this Section until a written contract or agreement shall be so authorized, approved, and executed. A copy of each contract or agreement (whether or not exempted under this Section) and the response, if any, to the request for proposals upon which the contract was awarded must be filed with the Secretary

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of the Authority and is required to be open for public inspection.

(d) This Section applies to (i) contracts in excess of \$25,000 for professional services provided to the Authority, including the services of accountants, architects, attorneys, engineers, physicians, superintendents of construction, financial advisors, bond trustees, and other similar professionals possessing a high degree of skill and (ii) contracts or bond purchase agreements in excess of \$10,000 with underwriters or investment bankers with respect to sale of the Authority's bonds under this Act. This Section shall not apply to contracts for professional services to be provided by, or the agreement is with, a State agency, federal agency, or unit of local government.

(Source: 09600SB0028enr.)

Section 99. Effective date. This Act takes effect upon becoming law."

Under the rules, the foregoing **Senate Bill No. 3215**, with House Amendment No. 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 19

A bill for AN ACT concerning education.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 19

Senate Amendment No. 3 to HOUSE BILL NO. 19

Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 2270

A bill for AN ACT making appropriations.

Which amendments are as follows:

Senate Amendment No. 1 to HOUSE BILL NO. 2270

Senate Amendment No. 2 to HOUSE BILL NO. 2270

Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 2369

A bill for AN ACT concerning finance.

Which amendments are as follows:

Senate Amendment No. 2 to HOUSE BILL NO. 2369

Senate Amendment No. 3 to HOUSE BILL NO. 2369

Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:

HOUSE BILL 5060

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A bill for AN ACT concerning criminal law.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 5060
Senate Amendment No. 2 to HOUSE BILL NO. 5060
Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:
HOUSE BILL 5217

A bill for AN ACT concerning insurance.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 5217
Senate Amendment No. 2 to HOUSE BILL NO. 5217
Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:
HOUSE BILL 5429

A bill for AN ACT concerning civil law.
Which amendments are as follows:
Senate Amendment No. 2 to HOUSE BILL NO. 5429
Senate Amendment No. 3 to HOUSE BILL NO. 5429
Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:
HOUSE BILL 5494

A bill for AN ACT concerning criminal law.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 5494
Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:
Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:
HOUSE BILL 5677

A bill for AN ACT concerning insurance.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 5677
Senate Amendment No. 2 to HOUSE BILL NO. 5677
Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

[May 27, 2010]

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:
HOUSE BILL 5732

A bill for AN ACT concerning finance.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 5732
Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendment to a bill of the following title, to-wit:
HOUSE BILL 5772

A bill for AN ACT concerning regulation.
Which amendment is as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 5772
Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:
HOUSE BILL 6419

A bill for AN ACT concerning regulation.
Which amendments are as follows:
Senate Amendment No. 2 to HOUSE BILL NO. 6419
Senate Amendment No. 3 to HOUSE BILL NO. 6419
Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:
HOUSE BILL 6420

A bill for AN ACT concerning regulation.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 6420
Senate Amendment No. 2 to HOUSE BILL NO. 6420
Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of their amendments to a bill of the following title, to-wit:
HOUSE BILL 6462

A bill for AN ACT concerning criminal law.
Which amendments are as follows:
Senate Amendment No. 1 to HOUSE BILL NO. 6462
Senate Amendment No. 2 to HOUSE BILL NO. 6462

[May 27, 2010]

Senate Amendment No. 3 to HOUSE BILL NO. 6462
 Concurred in by the House, May 26, 2010.

MARK MAHONEY, Clerk of the House

JOINT ACTION MOTIONS FILED

The following Joint Action Motions to the Senate Bills listed below have been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendments 1, 2, 3 and 5 to Senate Bill 226
 Motion to Concur in House Amendments 1 and 3 to Senate Bill 744
 Motion to Concur in House Amendments 1 and 4 to Senate Bill 2093
 Motion to Concur in House Amendments 1 and 3 to Senate Bill 2101
 Motion to Concur in House Amendment 2 to Senate Bill 3215

LEGISLATIVE MEASURE FILED

The following Floor amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 2 to House Bill 3690

REPORTS FROM STANDING COMMITTEES

Senator Viverito, Chairperson of the Committee on Revenue, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendments 1 and 3 to Senate Bill 49; Motion to Concur in House Amendments 1, 3 and 6 to Senate Bill 377; Motion to Concur in House Amendments 1 and 2 to Senate Bill 2534; Motion to Concur in House Amendments 1 and 2 to Senate Bill 2647; Motion to Concur in House Amendment 3 to Senate Bill 3749

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Bill 3739

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Demuzio, Chairperson of the Committee on State Government and Veterans Affairs, to which was referred **Senate Resolutions numbered 782 and 860**, reported the same back with the recommendation that the resolutions be adopted.

Under the rules, **Senate Resolutions numbered 782 and 860** were placed on the Secretary's Desk.

Senator Sullivan, Chairperson of the Committee on Appropriations II, to which was referred the Motions to Concur with House Amendments to the following Senate Bill, reported that the Committee recommends do adopt:

[May 27, 2010]

Motion to Concur in House Amendments 2 and 3 to Senate Bill 1215

Under the rules, the foregoing motions are eligible for consideration by the Senate.

CONSIDERATION OF GOVERNOR'S VETO MESSAGE

Pursuant to the Motion in Writing filed on Wednesday, May 26, 2010 and journalized Wednesday, May 26, 2010, Senator Cullerton moved that **Senate Bill No. 28** do pass, the specific recommendations of the Governor to the contrary notwithstanding.

And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAYS 2; Present 1.

The following voted in the affirmative:

Althoff	Duffy	Lauzen	Righter
Bivins	Forby	Lightford	Risinger
Bomke	Frerichs	Link	Sandoval
Bond	Garrett	Maloney	Schoenberg
Brady	Haine	Martinez	Silverstein
Burzynski	Hendon	Meeks	Steans
Clayborne	Hunter	Millner	Sullivan
Collins	Hutchinson	Muñoz	Syverson
Crotty	Jacobs	Murphy	Trotter
Dahl	Jones, E.	Noland	Viverito
Delgado	Jones, J.	Pankau	Wilhelmi
Demuzio	Koehler	Radogno	Mr. President
Dillard	Kotowski	Raoul	

The following voted in the negative:

Holmes
Hultgren

The following voted present:

Luechtefeld

This bill, having received the vote of three-fifths of the members elected, was declared passed, the specific recommendations of the Governor to the contrary notwithstanding.

Ordered that the Secretary inform the House of Representatives thereof and ask their concurrence therein.

At the hour of 12:49 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 1:17 o'clock p.m., the Senate resumed consideration of business.
Senator Schoenberg, presiding.

MESSAGE FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the adoption of the following joint resolution, to-wit:

[May 27, 2010]

SENATE JOINT RESOLUTION NO. 118

Together with the attached amendment thereto, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE JOINT RESOLUTION NO. 118

Passed by the House, May 27, 2010.

MARK MAHONEY, Clerk of the House

SENATE JOINT RESOLUTION NO. 118

HOUSE AMENDMENT NO. 1

AMENDMENT NO. 1 TO SENATE JOINT RESOLUTION 118

AMENDMENT NO. 1. Amend Senate Joint Resolution 118 on page 1, by replacing lines 18 through 20 with the following:

"CONCURRING HEREIN, that we designate Interstate 290 to Interstate 88, Interstate 88 to Interstate 80, the portions of Interstate 80 from Interstate 88 to Interstate 74, Interstate 74 to Galesburg, U.S. Route 34 to"; and

on page 2, by replacing line 6 with the following:

"and the Illinois State Toll Highway Authority are requested to erect, consistent with"; and

on page 2, line 12, by inserting "the Executive Director of the Illinois State Toll Highway Authority," after "Transportation,".

Under the rules, the foregoing **Senate Joint Resolution No. 118**, with House Amendment No. 1, was referred to the Secretary's Desk.

LEGISLATIVE MEASURE FILED

The following Floor amendment to the House Bill listed below has been filed with the Secretary and referred to the Committee on Assignments:

Senate Floor Amendment No. 4 to House Bill 4815

JOINT ACTION MOTION FILED

The following Joint Action Motion to the Senate Resolution listed below has been filed with the Secretary and referred to the Committee on Assignments:

Motion to Concur in House Amendment 1 to Senate Joint Resolution 118

At the hour of 1:18 o'clock p.m., the Chair announced that the Senate stand at ease.

AT EASE

At the hour of 1:23 o'clock p.m., the Senate resumed consideration of business. Senator Schoenberg, presiding.

REPORT FROM COMMITTEE ON ASSIGNMENTS

[May 27, 2010]

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 27, 2010 meeting, reported the following Joint Action Motions have been assigned to the indicated Standing Committees of the Senate:

Executive: **Motion to Concur in House Amendment 1 to Senate Joint Resolution 118**

Motion to Concur in House Amendments 1, 2, 3 and 5 to Senate Bill 226

Motion to Concur in House Amendments 1 and 3 to Senate Bill 744

Motion to Concur in House Amendments 1 and 3 to Senate Bill 2101

Motion to Concur in House Amendment 2 to Senate Bill 3215

Labor: **Motion to Concur in House Amendments 1 and 4 to Senate Bill 2093**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 27, 2010 meeting, reported the following Legislative Measure has been assigned to the indicated Standing Committee of the Senate:

Executive: **Senate Floor Amendment No. 2 to House Bill 3690.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 27, 2010 meeting, reported the following House Resolution has been assigned to the indicated Standing Committee of the Senate:

Executive: **House Joint Resolution No. 111.**

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 27, 2010 meeting, reported that the Committee recommends that **Senate Resolution No. 808** be re-referred from the Committee on Revenue to the Committee on Labor.

Senator Clayborne, Chairperson of the Committee on Assignments, during its May 27, 2010 meeting, reported that the Committee recommends that **House Joint Resolution No. 119** be re-referred from the Committee on State Government and Veterans Affairs to the Committee on Executive.

COMMITTEE MEETING ANNOUNCEMENTS

The Chair announced following committees to meet in Room 212:

Labor at 2:30 o'clock p.m.

Executive at 3:00 o'clock p.m.

POSTING NOTICES WAIVED

Senator Frerichs moved to waive the six-day posting requirement on **Senate Resolution No. 808** so that the resolution may be heard in the Committee on Labor that is scheduled to meet today.

The motion prevailed.

Senator Muñoz moved to waive the six-day posting requirement on **House Joint Resolution No. 119** so that the resolution may be heard in the Committee on Executive that is scheduled to meet today.

And on that motion, a call of the roll was had resulting as follows:

YEAS 31; NAYS 19.

[May 27, 2010]

The following voted in the affirmative:

Clayborne	Hendon	Link	Schoenberg
Collins	Holmes	Maloney	Silverstein
Crotty	Hunter	Martinez	Sullivan
Delgado	Jacobs	Meeks	Trotter
Forby	Jones, E.	Muñoz	Viverito
Garrett	Koehler	Noland	Wilhelmi
Haine	Kotowski	Raoul	Mr. President
Harmon	Lightford	Sandoval	

The following voted in the negative:

Althoff	Dillard	Luechtefeld	Radogno
Bivins	Duffy	McCarter	Righter
Brady	Hultgren	Millner	Risinger
Burzynski	Jones, J.	Murphy	Syverson
Dahl	Lauzen	Pankau	

The motion prevailed.

Senator Steans asked and obtained unanimous consent for the Journal to reflect her intention to have voted in the affirmative on the motion to waive posting requirements on **House Joint Resolution No. 119**.

Senator Althoff moved to waive the six-day posting requirement on **House Joint Resolution No. 111** so that the resolution may be heard in the Committee on Executive that is scheduled to meet today.

And on that motion, a call of the roll was had resulting as follows:

YEAS 46; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Raoul
Bivins	Haine	Lightford	Righter
Bomke	Harmon	Link	Risinger
Bond	Hendon	Luechtefeld	Sandoval
Brady	Holmes	Maloney	Steans
Burzynski	Hultgren	Martinez	Syverson
Collins	Hunter	Meeks	Trotter
Crotty	Hutchinson	Millner	Viverito
Dahl	Jones, E.	Muñoz	Wilhelmi
Delgado	Jones, J.	Noland	Mr. President
Dillard	Koehler	Pankau	
Duffy	Kotowski	Radogno	

The motion prevailed.

MESSAGE FROM THE PRESIDENT

OFFICE OF THE SENATE PRESIDENT STATE OF ILLINOIS

JOHN J. CULLERTON
SENATE PRESIDENT

327 STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

May 27, 2010

[May 27, 2010]

Ms. Jillayne Rock
 Secretary of the Senate
 Room 401 State House
 Springfield, IL 62706

Dear Madam Secretary:

Pursuant to Rule 3-2(c), I hereby appoint Senator Donne Trotter to temporarily replace Senator James DeLeo as a member of the Senate Executive Committee. This appointment is effective immediately and will automatically expire upon adjournment of the Senate Executive Committee

Sincerely,
 s/John J. Cullerton
 Senate President

cc: Senate Minority Leader Christine Radogno

Senator Muñoz asked and obtained unanimous consent to recess for the purpose of a Democrat caucus.

Senator Burzynski asked and obtained unanimous consent to recess for the purpose of a Republican caucus.

At the hour of 1:42 o'clock p.m., the Chair announced that the Senate stand at recess subject to the call of the Chair.

AFTER RECESS

At the hour of 4:18 o'clock p.m., the Senate resumed consideration of business.
 Senator Hendon, presiding.

REPORT FROM STANDING COMMITTEE

Senator Muñoz, Chairperson of the Committee on Executive Appointments, moved that the Senate resolve itself into Executive Session to consider the report of that Committee relative to the Message appointments of the Governor and the Treasurer.
 The motion prevailed.

EXECUTIVE SESSION

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of November 12, 2009, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

CHICAGO TRANSIT AUTHORITY BOARD OF TRUSTEES

To be a member of the Chicago Transit Authority Board of Trustees for a term commencing November 12, 2009 and ending September 1, 2011:

John Bouman
 Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment.
 And on that motion, a call of the roll was had resulting as follows:

YEAS 45; NAYS 6.

[May 27, 2010]

The following voted in the affirmative:

Althoff	Garrett	Link	Schoenberg
Bond	Haine	Luechtefeld	Silverstein
Brady	Harmon	Maloney	Steans
Burzynski	Hendon	Martinez	Sullivan
Clayborne	Holmes	Meeks	Syverson
Collins	Hunter	Millner	Trotter
Crotty	Hutchinson	Muñoz	Viverito
Delgado	Jacobs	Noland	Wilhelmi
Demuzio	Jones, E.	Pankau	Mr. President
Dillard	Koehler	Raoul	
Forby	Kotowski	Risinger	
Frerichs	Lightford	Sandoval	

The following voted in the negative:

Bivins	Duffy	Lauzen
Dahl	Jones, J.	Murphy

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of December 16, 2009, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

HUMAN RIGHTS COMMISSION

To be a Member and Chair of the Human Rights Commission for a term commencing December 12, 2009 and ending January 17, 2011:

Martin Castro
Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 49; NAYS 3; Present 1.

The following voted in the affirmative:

Althoff	Garrett	Link	Sandoval
Bomke	Haine	Luechtefeld	Schoenberg
Bond	Harmon	Maloney	Silverstein
Brady	Hendon	Martinez	Steans
Burzynski	Holmes	Meeks	Sullivan
Clayborne	Hunter	Millner	Syverson
Collins	Hutchinson	Muñoz	Trotter
Crotty	Jacobs	Murphy	Viverito
Delgado	Jones, E.	Noland	Wilhelmi
Demuzio	Koehler	Pankau	Mr. President
Dillard	Kotowski	Radogno	
Forby	Lauzen	Raoul	
Frerichs	Lightford	Risinger	

The following voted in the negative:

[May 27, 2010]

Bivins
Dahl
Duffy

The following voted present:

McCarter

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of April 16, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

ILLINOIS LABOR RELATIONS BOARD – STATE PANEL

To be a member of the Illinois Labor Relations Board (State Panel) for a term commencing April 16, 2010 and ending January 24, 2011.

Jessica Kimbrough
Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 48; NAYS 5; Present 1.

The following voted in the affirmative:

Althoff	Garrett	Luechtefeld	Schoenberg
Bomke	Haine	Maloney	Silverstein
Bond	Harmon	Martinez	Steans
Brady	Hendon	Meeks	Sullivan
Burzynski	Holmes	Millner	Syverson
Clayborne	Hunter	Muñoz	Trotter
Collins	Hutchinson	Murphy	Viverito
Crotty	Jacobs	Noland	Wilhelmi
Delgado	Jones, E.	Pankau	Mr. President
Demuzio	Koehler	Radogno	
Dillard	Kotowski	Raoul	
Forby	Lightford	Risinger	
Frerichs	Link	Sandoval	

The following voted in the negative:

Bivins	Duffy	Lauzen
Dahl	Jones, J.	

The following voted present:

McCarter

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Munoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of May 12, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

EMPLOYMENT SECURITY BOARD OF REVIEW

To be a member of the Employment Security Board of Review for a term commencing June 12, 2010 and ending January 17, 2011.

Marilyn Sue Orso
Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 46; NAYS 5; Present 2.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Sandoval
Bomke	Harmon	Maloney	Schoenberg
Bond	Hendon	Martinez	Silverstein
Burzynski	Holmes	Meeks	Steans
Clayborne	Hunter	Millner	Sullivan
Collins	Hutchinson	Muñoz	Syverson
Crotty	Jacobs	Murphy	Trotter
Delgado	Jones, E.	Noland	Viverito
Demuzio	Koehler	Pankau	Wilhelmi
Dillard	Kotowski	Radogno	Mr. President
Forby	Lightford	Raoul	
Frerichs	Link	Risinger	

The following voted in the negative:

Bivins	Dahl	Jones, J.
Brady	Duffy	

The following voted present:

Lauzen
McCarter

The motion prevailed.
Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of May 12, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

HUMAN RIGHTS COMMISSION

To be a Member of the Human Rights Commission for a term commencing May 12, 2010 and ending January 21, 2013:

Diane M. Viverito
Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment.

[May 27, 2010]

And on that motion, a call of the roll was had resulting as follows:

YEAS 43; NAYS 5; Present 4.

The following voted in the affirmative:

Althoff	Garrett	Lightford	Raoul
Bomke	Haine	Link	Risinger
Bond	Harmon	Luechtefeld	Sandoval
Clayborne	Hendon	Maloney	Schoenberg
Collins	Holmes	Martinez	Silverstein
Crotty	Hunter	Meeks	Steans
Delgado	Hutchinson	Millner	Sullivan
Demuzio	Jacobs	Muñoz	Trotter
Dillard	Jones, E.	Noland	Wilhelmi
Forby	Koehler	Pankau	Mr. President
Frerichs	Kotowski	Radogno	

The following voted in the negative:

Bivins	Dahl	Jones, J.
Brady	Duffy	

The following voted present:

Lauzen	Murphy
McCarter	Viverito

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of May 12, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

WORKERS' COMPENSATION COMMISSION

To be a Member of the Workers' Compensation Commission for a term commencing May 12, 2010 and ending January 17, 2011:

Daniel R. Donohoo
Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment.

And on that motion, a call of the roll was had resulting as follows:

YEAS 48; NAYS 4; Present 2.

The following voted in the affirmative:

Althoff	Garrett	Luechtefeld	Schoenberg
Bomke	Haine	Maloney	Silverstein
Bond	Harmon	Martinez	Steans
Brady	Hendon	Meeks	Sullivan
Burzynski	Holmes	Millner	Syverson
Clayborne	Hunter	Muñoz	Trotter
Collins	Hutchinson	Murphy	Viverito
Crotty	Jacobs	Noland	Wilhelmi

[May 27, 2010]

Delgado	Jones, E.	Pankau	Mr. President
Demuzio	Koehler	Radogno	
Dillard	Kotowski	Raoul	
Forby	Lightford	Risinger	
Frerichs	Link	Sandoval	

The following voted in the negative:

Bivins	Duffy
Dahl	Jones, J.

The following voted present:

Lauzen
McCarter

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of May 20, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

ILLINOIS STATE FIRE MARSHAL

To be the Illinois State Fire Marshal for a term commencing January 4, 2010 and ending January 17, 2011:

Lawrence Matkaitis
Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 47; NAYS 2; Present 2.

The following voted in the affirmative:

Althoff	Garrett	Lightford	Risinger
Bomke	Haine	Link	Sandoval
Bond	Harmon	Luechtefeld	Schoenberg
Brady	Hendon	Maloney	Silverstein
Burzynski	Holmes	Meeks	Steans
Collins	Hultgren	Millner	Sullivan
Crotty	Hunter	Muñoz	Syverson
Delgado	Hutchinson	Murphy	Trotter
Demuzio	Jacobs	Noland	Viverito
Dillard	Jones, E.	Pankau	Wilhelmi
Forby	Koehler	Radogno	Mr. President
Frerichs	Kotowski	Raoul	

The following voted in the negative:

Bivins
Duffy

The following voted present:

[May 27, 2010]

Lauzen
McCarter

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of April 6, 2009, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

UNIVERSITY OF ILLINOIS BOARD OF TRUSTEES

To be a member of the University of Illinois Board of Trustees for a term commencing March 20, 2009 and ending January 19, 2015:

Edward McMillan
Non-salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Kotowski	Raoul
Bomke	Frerichs	Lauzen	Risinger
Bond	Garrett	Lightford	Sandoval
Brady	Haine	Link	Schoenberg
Burzynski	Harmon	Luechtefeld	Silverstein
Clayborne	Hendon	McCarter	Steans
Collins	Holmes	Meeks	Sullivan
Crotty	Hultgren	Millner	Syverson
Dahl	Hunter	Muñoz	Trotter
Delgado	Hutchinson	Murphy	Viverito
Demuzio	Jacobs	Noland	Wilhelmi
Dillard	Jones, E.	Pankau	Mr. President
Duffy	Koehler	Radogno	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of November 13, 2009, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

CHICAGO STATE UNIVERSITY BOARD OF TRUSTEES

To be a member of the Chicago State University Board of Trustees for a term commencing November 9, 2009 and ending January 21, 2013:

Zaldwaynaka "Z" Scott
Non-Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

[May 27, 2010]

YEAS 50; NAY 1.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Risinger
Bivins	Garrett	Link	Sandoval
Bond	Haine	Luechtefeld	Schoenberg
Brady	Harmon	Maloney	Silverstein
Burzynski	Hendon	McCarter	Steans
Clayborne	Holmes	Meeks	Sullivan
Collins	Hunter	Millner	Syverson
Crotty	Hutchinson	Muñoz	Trotter
Dahl	Jacobs	Murphy	Viverito
Demuzio	Jones, E.	Noland	Wilhelmi
Dillard	Koehler	Pankau	Mr. President
Duffy	Kotowski	Radogno	
Forby	Laufen	Raoul	

The following voted in the negative:

Delgado

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Delgado asked and obtained unanimous consent for the Journal to reflect his intention to have voted in the affirmative on the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of December 10, 2009, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

STATE BOARD OF EDUCATION

To be a Members of the State Board of Education for a term commencing December 18, 2009 and ending January 9, 2013:

James W. Baumann
Non-Salaried

Melinda Ann LaBarre
Non-Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointments.
And on that motion, a call of the roll was had resulting as follows:

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Risinger
Bivins	Garrett	Link	Sandoval
Bond	Haine	Luechtefeld	Schoenberg
Brady	Harmon	Maloney	Silverstein
Burzynski	Hendon	Martinez	Steans
Clayborne	Holmes	McCarter	Sullivan
Collins	Hultgren	Meeks	Syverson
Crotty	Hunter	Millner	Trotter
Dahl	Hutchinson	Muñoz	Viverito

[May 27, 2010]

Delgado	Jacobs	Murphy	Wilhelmi
Demuzio	Jones, E.	Noland	Mr. President
Dillard	Koehler	Pankau	
Duffy	Kotowski	Radogno	
Forby	Lauzen	Raoul	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of December 29, 2009, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

NORTHEASTERN ILLINOIS UNIVERISTY BOARD OF TRUSTEES

To be a Member of the Northeastern Illinois University Board of Trustees for a term commencing December 29, 2009 and ending January 21, 2013:

Marvin Garcia
Non-Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment.
And on that motion, a call of the roll was had resulting as follows:

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Risinger
Bivins	Garrett	Link	Sandoval
Bond	Haine	Luechtefeld	Schoenberg
Brady	Harmon	Maloney	Silverstein
Burzynski	Hendon	Martinez	Steans
Clayborne	Holmes	McCarter	Sullivan
Collins	Hultgren	Meeks	Syverson
Crotty	Hunter	Millner	Trotter
Dahl	Hutchinson	Muñoz	Viverito
Delgado	Jacobs	Murphy	Wilhelmi
Demuzio	Jones, E.	Noland	Mr. President
Dillard	Koehler	Pankau	
Duffy	Kotowski	Radogno	
Forby	Lauzen	Raoul	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of January 11, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

PUBLIC ADMINISTRATOR & PUBLIC GUARDIAN OF MONROE COUNTY

To be the Public Administrator and Public Guardian of Monroe County for a term commencing January 11, 2010 and ending December 2, 2013:

Arlie Traughber
Non-Salaried

[May 27, 2010]

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Kotowski	Radogno
Bivins	Frerichs	Lauzen	Raoul
Bond	Garrett	Lightford	Sandoval
Brady	Haine	Link	Schoenberg
Burzynski	Harmon	Luechtefeld	Silverstein
Clayborne	Hendon	Maloney	Steans
Collins	Holmes	Martinez	Sullivan
Crotty	Hultgren	Meeks	Syverson
Dahl	Hunter	Millner	Trotter
Delgado	Hutchinson	Muñoz	Viverito
Demuzio	Jacobs	Murphy	Wilhelmi
Dillard	Jones, E.	Noland	Mr. President
Duffy	Koehler	Pankau	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of February 26, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

HEALTH FACILITIES AND SERVICES REVIEW BOARD

To be a Member of the Health Facilities and Services Review Board for a term commencing March 1, 2010 and ending July 1, 2013:

Alan Greiman
Non-Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lauzen	Raoul
Bond	Garrett	Lightford	Risinger
Brady	Haine	Link	Sandoval
Burzynski	Harmon	Luechtefeld	Schoenberg
Clayborne	Hendon	Maloney	Silverstein
Collins	Holmes	Martinez	Steans
Crotty	Hultgren	Meeks	Sullivan
Dahl	Hunter	Millner	Syverson
Delgado	Hutchinson	Muñoz	Trotter
Demuzio	Jacobs	Murphy	Viverito
Dillard	Jones, E.	Noland	Wilhelmi
Duffy	Koehler	Pankau	Mr. President
Forby	Kotowski	Radogno	

[May 27, 2010]

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of March 1, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointments:

BOARD OF HIGHER EDUCATION

To be a Member of the Board of Higher Education for a term commencing March 1, 2010 and ending January 31, 2011:

Heba Hamouda
Non-Salaried

To be a Member of the Board of Higher Education for a term commencing March 1, 2010 and ending January 31, 2015:

Santos Rivera
Non-Salaried

Senator Muñoz moved that the Senate advise and consent to the foregoing appointments. And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Raoul
Bivins	Frerichs	Lightford	Righter
Bomke	Garrett	Link	Sandoval
Bond	Haine	Luechtefeld	Schoenberg
Brady	Harmon	Maloney	Silverstein
Burzynski	Hendon	Martinez	Steans
Clayborne	Holmes	McCarter	Sullivan
Collins	Hultgren	Meeks	Syverson
Crotty	Hunter	Millner	Trotter
Dahl	Hutchinson	Muñoz	Viverito
Delgado	Jacobs	Murphy	Wilhelmi
Demuzio	Jones, E.	Noland	Mr. President
Dillard	Koehler	Pankau	
Duffy	Kotowski	Radogno	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointments.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Governor's Message to the Senate of April 26, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

ILLINOIS HOUSING DEVELOPMENT AUTHORITY

To be a member of the Illinois Housing Development Authority for a term commencing April 26, 2010 and ending January 10, 2011.

Deborah Telman
Non-Salaried

[May 27, 2010]

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Righter
Bivins	Frerichs	Link	Risinger
Bomke	Garrett	Luechtefeld	Sandoval
Bond	Haine	Maloney	Schoenberg
Brady	Hendon	Martinez	Silverstein
Burzynski	Holmes	McCarter	Steans
Clayborne	Hultgren	Meeks	Sullivan
Collins	Hunter	Millner	Syverson
Crotty	Hutchinson	Muñoz	Trotter
Dahl	Jacobs	Murphy	Viverito
Delgado	Jones, E.	Noland	Wilhelmi
Demuzio	Koehler	Pankau	Mr. President
Dillard	Kotowski	Radogno	
Duffy	Lauzen	Raoul	

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

Senator Muñoz, Chairperson of the Committee on Executive Appointments, to which was referred the Treasurer's Message to the Senate of March 25, 2010, reported the same back with the recommendation that the Senate advise and consent to the following appointment:

TREASURER'S PERSONNEL REVIEW BOARD MEMBER

To be a member of the Treasurer's Personnel Review Board for a term commencing May 24, 2010 and ending May 24, 2016.

Tamara L. Howard
(Non-Salaried)

Senator Muñoz moved that the Senate advise and consent to the foregoing appointment. And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lauzen	Raoul
Bivins	Frerichs	Lightford	Righter
Bomke	Garrett	Link	Risinger
Bond	Haine	Luechtefeld	Sandoval
Brady	Harmon	Maloney	Schoenberg
Burzynski	Hendon	Martinez	Silverstein
Clayborne	Holmes	McCarter	Steans
Collins	Hultgren	Meeks	Sullivan
Crotty	Hunter	Millner	Syverson
Dahl	Hutchinson	Muñoz	Trotter
Delgado	Jacobs	Murphy	Viverito
Demuzio	Jones, E.	Noland	Wilhelmi
Dillard	Koehler	Pankau	Mr. President

[May 27, 2010]

Duffy

Kotowski

Radogno

The motion prevailed.

Whereupon the President of the Senate announced confirmation of the foregoing appointment.

On motion of Senator Muñoz, the Executive Session arose and the Senate resumed consideration of business.

Senator Hendon, presiding.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Demuzio moved that **Senate Resolution No. 782**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Demuzio moved that Senate Resolution No. 782 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Frerichs moved that **Senate Resolution No. 860**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Frerichs moved that Senate Resolution No. 860 be adopted.

The motion prevailed.

And the resolution was adopted.

REPORTS FROM STANDING COMMITTEES

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred the following Senate floor amendment, reported that the Committee recommends do adopt:

Senate Amendment No. 2 to House Bill 3690

Under the rules, the foregoing floor amendment is eligible for consideration on second reading.

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred the Motions to Concur with House Amendments to the following Senate Bills, reported that the Committee recommends do adopt:

Motion to Concur in House Amendment 1 to Senate Joint Resolution 118; Motion to Concur in House Amendments 1, 2, 3 and 5 to Senate Bill 226; Motion to Concur in House Amendments 1 and 2 to Senate Bill 375; Motion to Concur in House Amendments 1 and 3 to Senate Bill 744; Motion to Concur in House Amendments 1 and 2 to Senate Bill 1642; Motion to Concur in House Amendments 1 and 3 to Senate Bill 2101; Motion to Concur in House Amendment 1 to Senate Bill 2863; Motion to Concur in House Amendment 1 to Senate Bill 3012; Motion to Concur in House Amendment 2 to Senate Bill 3215; Motion to Concur in House Amendments 1, 9, 12, 14, 17, 18 and 19 to Senate Bill 3660; Motion to Concur in House Amendments 1 and 3 to Senate Bill 3662

Under the rules, the foregoing motions are eligible for consideration by the Senate.

Senator Silverstein, Chairperson of the Committee on Executive, to which was referred **House Joint Resolution No. 111**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **House Joint Resolution No. 111** was placed on the Secretary's Desk.

Senator Forby, Chairperson of the Committee on Labor, to which was referred the Motion to Concur with House Amendment to the following Senate Bill, reported that the Committee recommends do adopt:

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Motion to Concur in House Amendments 1 and 4 to Senate Bill 2093

Under the rules, the foregoing motion is eligible for consideration by the Senate.

Senator Forby, Chairperson of the Committee on Labor, to which was referred **Senate Resolution No. 808**, reported the same back with the recommendation that the resolution be adopted.

Under the rules, **Senate Resolution No. 808** was placed on the Secretary's Desk.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON
SECRETARY'S DESK**

On motion of Senator Kotowski, **Senate Bill No. 377**, with House Amendments numbered 1, 3 and 6 on the Secretary's Desk, was taken up for immediate consideration.

Senator Kotowski moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 53; NAY 1.

The following voted in the affirmative:

Althoff	Haine	Link	Risinger
Bivins	Harmon	Luechtefeld	Sandoval
Bomke	Hendon	Maloney	Schoenberg
Bond	Holmes	Martinez	Silverstein
Burzynski	Hultgren	McCarter	Steans
Clayborne	Hunter	Meeks	Sullivan
Collins	Hutchinson	Millner	Syverson
Crotty	Jacobs	Muñoz	Trotter
Dahl	Jones, E.	Murphy	Viverito
Delgado	Jones, J.	Noland	Wilhelmi
Demuzio	Koehler	Pankau	Mr. President
Dillard	Kotowski	Radogno	
Forby	Lauzen	Raoul	
Garrett	Lightford	Righter	

The following voted in the negative:

Brady

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1, 3 and 6 to **Senate Bill No. 377**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Trotter, **Senate Bill No. 1215**, with House Amendments numbered 2 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Trotter moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 35; NAYS 20.

The following voted in the affirmative:

Bond	Haine	Kotowski	Sandoval
Clayborne	Harmon	Lightford	Schoenberg

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Collins	Hendon	Link	Silverstein
Crotty	Holmes	Maloney	Sullivan
Delgado	Hunter	Martinez	Trotter
Demuzio	Hutchinson	Meeks	Viverito
Forby	Jacobs	Muñoz	Wilhelmi
Frerichs	Jones, E.	Noland	Mr. President
Garrett	Koehler	Raoul	

The following voted in the negative:

Althoff	Dillard	McCarter	Steans
Bivins	Duffy	Millner	Syverson
Bomke	Hultgren	Murphy	
Brady	Jones, J.	Pankau	
Burzynski	Lauzen	Radogno	
Dahl	Luechtefeld	Richter	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 2 and 3 to **Senate Bill No. 1215**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 2534**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Koehler moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 46; NAYS 7.

The following voted in the affirmative:

Althoff	Haine	Lightford	Risinger
Bomke	Harmon	Link	Sandoval
Bond	Hendon	Luechtefeld	Schoenberg
Brady	Holmes	Maloney	Silverstein
Clayborne	Hultgren	Martinez	Steans
Collins	Hunter	Meeks	Sullivan
Crotty	Hutchinson	Millner	Trotter
Delgado	Jacobs	Muñoz	Viverito
Demuzio	Jones, E.	Murphy	Wilhelmi
Dillard	Jones, J.	Noland	Mr. President
Forby	Koehler	Pankau	
Frerichs	Kotowski	Raoul	

The following voted in the negative:

Bivins	Dahl	Lauzen	Syverson
Burzynski	Duffy	Radogno	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 2534**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Koehler, **Senate Bill No. 2647**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Koehler moved that the Senate concur with the House in the adoption of their amendments to said bill.

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And on that motion, a call of the roll was had resulting as follows:

YEAS 42; NAYS 13.

The following voted in the affirmative:

Althoff	Harmon	Link	Sandoval
Bond	Hendon	Maloney	Schoenberg
Clayborne	Holmes	Martinez	Silverstein
Collins	Hunter	Meeks	Steans
Crotty	Hutchinson	Millner	Sullivan
Delgado	Jacobs	Muñoz	Trotter
Demuzio	Jones, E.	Noland	Viverito
Dillard	Jones, J.	Pankau	Wilhelmi
Forby	Koehler	Radogno	Mr. President
Frerichs	Kotowski	Raoul	
Haine	Lightford	Risinger	

The following voted in the negative:

Bivins	Dahl	Luechtefeld	Syverson
Bomke	Duffy	McCarter	
Brady	Hultgren	Murphy	
Burzynski	Lauzen	Righter	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 2647**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Collins, **Senate Bill No. 3739**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Collins moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 48; NAYS 3.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Risinger
Bivins	Garrett	Link	Schoenberg
Bomke	Haine	Luechtefeld	Silverstein
Bond	Harmon	Maloney	Steans
Brady	Hendon	Martinez	Sullivan
Clayborne	Holmes	McCarter	Trotter
Collins	Hultgren	Meeks	Viverito
Crotty	Hunter	Muñoz	Wilhelmi
Dahl	Hutchinson	Noland	Mr. President
Delgado	Jacobs	Pankau	
Demuzio	Jones, E.	Radogno	
Dillard	Koehler	Raoul	
Forby	Kotowski	Righter	

The following voted in the negative:

Duffy
Lauzen
Murphy

[May 27, 2010]

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3739**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Wilhelm, **Senate Bill No. 3749**, with House Amendment No. 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Wilhelm moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 50; NAYS 3.

The following voted in the affirmative:

Althoff	Harmon	Luechtefeld	Risinger
Bond	Hendon	Maloney	Sandoval
Brady	Holmes	Martinez	Schoenberg
Clayborne	Hultgren	McCarter	Silverstein
Collins	Hunter	Meeks	Steans
Crotty	Hutchinson	Millner	Sullivan
Delgado	Jacobs	Muñoz	Syverson
Demuzio	Jones, E.	Murphy	Trotter
Dillard	Jones, J.	Noland	Viverito
Forby	Koehler	Pankau	Wilhelmi
Frerichs	Kotowski	Radogno	Mr. President
Garrett	Lightford	Raoul	
Haine	Link	Righter	

The following voted in the negative:

Burzynski
Duffy
Lauzen

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 3 to **Senate Bill No. 3749**.

Ordered that the Secretary inform the House of Representatives thereof.

CONSIDERATION OF RESOLUTIONS ON SECRETARY'S DESK

Senator Frerichs moved that **Senate Resolution No. 808**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Frerichs moved that Senate Resolution No. 808 be adopted.

The motion prevailed.

And the resolution was adopted.

Senator Althoff moved that **House Joint Resolution No. 111**, on the Secretary's Desk, be taken up for immediate consideration.

The motion prevailed.

Senator Althoff moved that House Joint Resolution No. 111 be adopted.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lauzen	Raoul
Bivins	Garrett	Lightford	Righter
Bomke	Haine	Link	Risinger
Bond	Harmon	Luechtefeld	Sandoval
Brady	Hendon	Maloney	Schoenberg
Burzynski	Holmes	Martinez	Silverstein
Clayborne	Hultgren	McCarter	Steans
Collins	Hunter	Meeks	Sullivan
Crotty	Hutchinson	Millner	Syverson
Dahl	Jacobs	Muñoz	Trotter
Delgado	Jones, E.	Murphy	Viverito
Demuzio	Jones, J.	Noland	Wilhelmi
Dillard	Koehler	Pankau	Mr. President
Duffy	Kotowski	Radogno	

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON SECRETARY'S DESK

On motion of Senator Demuzio, **Senate Bill No. 226**, with House Amendments numbered 1, 2, 3 and 5 on the Secretary's Desk, was taken up for immediate consideration.

Senator Demuzio moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Kotowski	Raoul
Bivins	Frerichs	Lightford	Righter
Bomke	Garrett	Link	Risinger
Bond	Haine	Luechtefeld	Sandoval
Brady	Harmon	Maloney	Schoenberg
Burzynski	Hendon	Martinez	Silverstein
Clayborne	Holmes	McCarter	Steans
Collins	Hultgren	Meeks	Sullivan
Crotty	Hunter	Millner	Syverson
Dahl	Hutchinson	Muñoz	Trotter
Delgado	Jacobs	Murphy	Viverito
Demuzio	Jones, E.	Noland	Wilhelmi
Dillard	Jones, J.	Pankau	Mr. President
Duffy	Koehler	Radogno	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1, 2, 3 and 5 to **Senate Bill No. 226**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Kotowski, **Senate Bill No. 375**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Kotowski moved that the Senate concur with the House in the adoption of their amendments to said bill.

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And on that motion, a call of the roll was had resulting as follows:

YEAS 56; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Risinger
Bivins	Garrett	Link	Sandoval
Bomke	Haine	Luechtefeld	Schoenberg
Bond	Harmon	Maloney	Silverstein
Brady	Hendon	Martinez	Steans
Burzynski	Holmes	McCarter	Sullivan
Clayborne	Hultgren	Meeks	Syverson
Collins	Hunter	Millner	Trotter
Crotty	Hutchinson	Muñoz	Viverito
Dahl	Jacobs	Murphy	Wilhelmi
Delgado	Jones, E.	Noland	Mr. President
Demuzio	Jones, J.	Pankau	
Dillard	Koehler	Radogno	
Duffy	Kotowski	Raoul	
Forby	Lauzen	Righter	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 375**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Link, **Senate Bill No. 744**, with House Amendments numbered 1 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Link moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 39; NAYS 15.

The following voted in the affirmative:

Althoff	Hendon	Link	Sandoval
Clayborne	Holmes	Maloney	Silverstein
Crotty	Hunter	Martinez	Steans
Delgado	Hutchinson	Muñoz	Sullivan
Demuzio	Jacobs	Noland	Syverson
Forby	Jones, E.	Pankau	Trotter
Frerichs	Jones, J.	Radogno	Viverito
Garrett	Koehler	Raoul	Wilhelmi
Haine	Kotowski	Righter	Mr. President
Harmon	Lightford	Risinger	

The following voted in the negative:

Bivins	Dahl	Lauzen	Millner
Brady	Dillard	Luechtefeld	Murphy
Burzynski	Duffy	McCarter	Schoenberg
Collins	Hultgren	Meeks	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 3 to **Senate Bill No. 744**.

Ordered that the Secretary inform the House of Representatives thereof.

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On motion of Senator Trotter, **Senate Bill No. 1642**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Trotter moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 50; NAYS 5.

The following voted in the affirmative:

Althoff	Frerichs	Link	Righter
Bivins	Garrett	Luechtefeld	Sandoval
Bomke	Haine	Maloney	Schoenberg
Bond	Hendon	Martinez	Silverstein
Brady	Holmes	McCarter	Steans
Clayborne	Hunter	Meeks	Sullivan
Collins	Hutchinson	Millner	Syverson
Crotty	Jacobs	Muñoz	Trotter
Delgado	Jones, E.	Murphy	Viverito
Demuzio	Koehler	Noland	Wilhelmi
Dillard	Kotowski	Pankau	Mr. President
Duffy	Lauzen	Radogno	
Forby	Lightford	Raoul	

The following voted in the negative:

Burzynski	Hultgren	Risinger
Dahl	Jones, J.	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 1642**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Forby, **Senate Bill No. 2093**, with House Amendments numbered 1 and 4 on the Secretary's Desk, was taken up for immediate consideration.

Senator Forby moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 34; NAYS 17; Present 3.

The following voted in the affirmative:

Althoff	Harmon	Link	Righter
Bond	Hendon	Luechtefeld	Risinger
Brady	Holmes	Maloney	Sandoval
Clayborne	Hunter	Martinez	Steans
Collins	Jacobs	Meeks	Trotter
Crotty	Jones, E.	Millner	Viverito
Delgado	Koehler	Muñoz	Wilhelmi
Dillard	Kotowski	Radogno	
Forby	Lightford	Raoul	

The following voted in the negative:

Bivins	Frerichs	Lauzen	Sullivan
Bomke	Garrett	McCarter	Syverson

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Burzynski	Haine	Murphy
Dahl	Hultgren	Pankau
Duffy	Jones, J.	Schoenberg

The following voted present:

Demuzio
Hutchinson
Noland

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 4 to **Senate Bill No. 2093**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Collins, **Senate Bill No. 2101**, with House Amendments numbered 1 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Collins moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 44; NAYS 9.

The following voted in the affirmative:

Althoff	Haine	Luechtefeld	Schoenberg
Bomke	Harmon	Maloney	Silverstein
Bond	Hendon	Martinez	Steans
Brady	Holmes	Meeks	Sullivan
Clayborne	Hunter	Muñoz	Trotter
Collins	Hutchinson	Noland	Viverito
Crotty	Jacobs	Pankau	Wilhelmi
Delgado	Jones, E.	Radogno	Mr. President
Demuzio	Koehler	Raoul	
Forby	Kotowski	Righter	
Frerichs	Lightford	Risinger	
Garrett	Link	Sandoval	

The following voted in the negative:

Bivins	Duffy	McCarter
Burzynski	Hultgren	Murphy
Dahl	Lauzen	Syverson

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 3 to **Senate Bill No. 2101**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Collins, **Senate Bill No. 2863**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Collins moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 54; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Kotowski	Righter
Bivins	Frerichs	Lauzen	Risinger
Bomke	Garrett	Lightford	Sandoval
Bond	Haine	Link	Schoenberg
Brady	Harmon	Luechtefeld	Silverstein
Burzynski	Hendon	Maloney	Steans
Clayborne	Holmes	Martinez	Sullivan
Collins	Hultgren	Meeks	Syverson
Crotty	Hunter	Millner	Trotter
Dahl	Hutchinson	Muñoz	Viverito
Delgado	Jacobs	Murphy	Wilhelmi
Demuzio	Jones, E.	Noland	Mr. President
Dillard	Jones, J.	Pankau	
Duffy	Koehler	Radogno	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 2863**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Link, **Senate Bill No. 3012**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Link moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 37; NAYS 18.

The following voted in the affirmative:

Bond	Harmon	Link	Silverstein
Brady	Hendon	Luechtefeld	Steans
Clayborne	Holmes	Maloney	Sullivan
Collins	Hunter	Martinez	Trotter
Crotty	Hutchinson	Meeks	Viverito
Delgado	Jacobs	Muñoz	Wilhelmi
Demuzio	Jones, E.	Noland	Mr. President
Forby	Koehler	Raoul	
Frerichs	Kotowski	Sandoval	
Garrett	Lightford	Schoenberg	

The following voted in the negative:

Althoff	Dillard	McCarter	Righter
Bivins	Duffy	Millner	Risinger
Bomke	Haine	Murphy	Syverson
Burzynski	Hultgren	Pankau	
Dahl	Lauzen	Radogno	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Bill No. 3012**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cullerton, **Senate Bill No. 3215**, with House Amendment No. 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Cullerton moved that the Senate concur with the House in the adoption of their amendment to said bill.

And on that motion, a call of the roll was had resulting as follows:

[May 27, 2010]

YEAS 53; NAYS None.

The following voted in the affirmative:

Althoff	Forby	Lightford	Risinger
Bivins	Frerichs	Link	Sandoval
Bomke	Garrett	Luechtefeld	Schoenberg
Bond	Haine	Maloney	Silverstein
Brady	Hendon	McCarter	Steans
Burzynski	Holmes	Meeks	Sullivan
Clayborne	Hultgren	Millner	Syverson
Collins	Hunter	Muñoz	Trotter
Crotty	Hutchinson	Murphy	Viverito
Dahl	Jacobs	Noland	Wilhelmi
Delgado	Jones, E.	Pankau	Mr. President
Demuzio	Koehler	Radogno	
Dillard	Kotowski	Raoul	
Duffy	Lauzen	Righter	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 2 to **Senate Bill No. 3215**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Cullerton, **Senate Bill No. 3660**, with House Amendments numbered 1, 9, 12, 14, 17, 18 and 19 on the Secretary's Desk, was taken up for immediate consideration.

Senator Cullerton moved that the Senate concur with the House in the adoption of their amendments to said bill.

Senator Righter moved to divide the question and requested that the Motion to Concur in House Amendment 9 be recorded on a separate roll call.

The Chair requested the motion be made in writing.

And on that motion to concur, a call of the roll was had resulting as follows:

YEAS 32; NAYS 23; Present 1.

The following voted in the affirmative:

Bond	Harmon	Link	Sullivan
Clayborne	Hendon	Maloney	Trotter
Collins	Holmes	Martinez	Viverito
Crotty	Hunter	Meeks	Wilhelmi
Delgado	Hutchinson	Muñoz	Mr. President
Demuzio	Jacobs	Raoul	
Forby	Jones, E.	Sandoval	
Garrett	Koehler	Schoenberg	
Haine	Kotowski	Silverstein	

The following voted in the negative:

Althoff	Dillard	Luechtefeld	Radogno
Bivins	Duffy	McCarter	Righter
Bomke	Frerichs	Millner	Risinger
Brady	Hultgren	Murphy	Steans
Burzynski	Jones, J.	Noland	Syverson
Dahl	Lauzen	Pankau	

The following voted present:

[May 27, 2010]

Lightford

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1, 9, 12, 14, 17, 18 and 19 to **Senate Bill No. 3660**.

Ordered that the Secretary inform the House of Representatives thereof.

INQUIRY OF THE CHAIR

Senator Righter, in regard to **Senate Bill No. 3660**, stated that according to Rule 7-14, no written motion is required to divide the question and that a Senator may divide the question upon a request. Senator Righter further had an inquiry of the Chair as to whether the Chair intended the roll call to reflect House Amendments 18 and 19 in the motion to concur, since the voting board did not reflect them.

The Chair stated that it verbally made clear that the chamber was dealing with Amendments 18 and 19, that all amendments were included in the motion to concur, that the vote was taken and the bill was passed. The Chair stated that when Senator Righter asked to divide the question, the Chair asked that his request be made in writing, because in the opinion of the Chair, it was a motion.

CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILL ON SECRETARY'S DESK

On motion of Senator Trotter, **Senate Bill No. 3662**, with House Amendments numbered 1 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Trotter moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 33; NAYS 23.

The following voted in the affirmative:

Bond	Harmon	Lightford	Silverstein
Clayborne	Hendon	Link	Sullivan
Collins	Holmes	Maloney	Trotter
Crotty	Hunter	Martinez	Viverito
Delgado	Hutchinson	Meeks	Wilhelmi
Demuzio	Jacobs	Muñoz	Mr. President
Forby	Jones, E.	Raoul	
Garrett	Koehler	Sandoval	
Haine	Kotowski	Schoenberg	

The following voted in the negative:

Althoff	Dillard	Luechtefeld	Radogno
Bivins	Duffy	McCarter	Righter
Bomke	Frerichs	Millner	Risinger
Brady	Hultgren	Murphy	Steans
Burzynski	Jones, J.	Noland	Syverson
Dahl	Lauzen	Pankau	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 3 to **Senate Bill No. 3662**.

Ordered that the Secretary inform the House of Representatives thereof.

[May 27, 2010]

**CONSIDERATION OF HOUSE AMENDMENT TO SENATE RESOLUTION ON
SECRETARY'S DESK**

On motion of Senator Sullivan, **Senate Joint Resolution No. 118**, with House Amendment No. 1 on the Secretary's Desk, was taken up for immediate consideration.

Senator Sullivan moved that the Senate concur with the House in the adoption of their amendment to said resolution.

And on that motion, a call of the roll was had resulting as follows:

YEAS 55; NAYS None.

The following voted in the affirmative:

Althoff	Frerichs	Lauzen	Raoul
Bomke	Garrett	Lightford	Righter
Bond	Haine	Link	Risinger
Brady	Harmon	Luechtefeld	Sandoval
Burzynski	Hendon	Maloney	Schoenberg
Clayborne	Holmes	Martinez	Silverstein
Collins	Hultgren	McCarter	Steans
Crotty	Hunter	Meeks	Sullivan
Dahl	Hutchinson	Millner	Syverson
Delgado	Jacobs	Muñoz	Trotter
Demuzio	Jones, E.	Murphy	Viverito
Dillard	Jones, J.	Noland	Wilhelmi
Duffy	Koehler	Pankau	Mr. President
Forby	Kotowski	Radogno	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendment No. 1 to **Senate Joint Resolution No. 118**.

Ordered that the Secretary inform the House of Representatives thereof.

**CONSIDERATION OF HOUSE AMENDMENTS TO SENATE BILLS ON
SECRETARY'S DESK**

On motion of Senator Forby, **Senate Bill No. 49**, with House Amendments numbered 1 and 3 on the Secretary's Desk, was taken up for immediate consideration.

Senator Forby moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 51; NAY 1; Present 2.

The following voted in the affirmative:

Althoff	Frerichs	Lightford	Raoul
Bomke	Garrett	Link	Righter
Bond	Haine	Luechtefeld	Risinger
Brady	Hendon	Maloney	Sandoval
Burzynski	Holmes	Martinez	Schoenberg
Clayborne	Hultgren	McCarter	Silverstein
Collins	Hunter	Meeks	Steans
Crotty	Hutchinson	Millner	Sullivan
Delgado	Jacobs	Muñoz	Trotter
Demuzio	Jones, E.	Murphy	Viverito
Dillard	Jones, J.	Noland	Wilhelmi
Duffy	Koehler	Pankau	Mr. President

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Forby Kotowski Radogno

The following voted in the negative:

Bivins

The following voted present:

Dahl
Lauzen

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 3 to **Senate Bill No. 49**.

Ordered that the Secretary inform the House of Representatives thereof.

On motion of Senator Demuzio, **Senate Bill No. 3658**, with House Amendments numbered 1 and 2 on the Secretary's Desk, was taken up for immediate consideration.

Senator Demuzio moved that the Senate concur with the House in the adoption of their amendments to said bill.

And on that motion, a call of the roll was had resulting as follows:

YEAS 42; NAYS 8.

The following voted in the affirmative:

Bivins	Haine	Link	Raoul
Bond	Harmon	Luechtefeld	Risinger
Brady	Hendon	Maloney	Sandoval
Clayborne	Holmes	Martinez	Schoenberg
Collins	Hunter	McCarter	Silverstein
Crotty	Hutchinson	Meeks	Steans
Delgado	Jacobs	Millner	Viverito
Demuzio	Jones, E.	Muñoz	Wilhelmi
Dillard	Koehler	Murphy	Mr. President
Forby	Kotowski	Noland	
Frerichs	Lightford	Pankau	

The following voted in the negative:

Althoff	Dahl	Radogno
Bomke	Duffy	Syverson
Burzynski	Lauzen	

The motion prevailed.

And the Senate concurred with the House in the adoption of their Amendments numbered 1 and 2 to **Senate Bill No. 3658**.

Ordered that the Secretary inform the House of Representatives thereof.

MESSAGES FROM THE HOUSE

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 3710

A bill for AN ACT concerning revenue.

[May 27, 2010]

Together with the following amendments which are attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 3710

House Amendment No. 2 to SENATE BILL NO. 3710

Passed the House, as amended, May 26, 2010.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 3710

AMENDMENT NO. 1. Amend Senate Bill 3710 by replacing everything after the enacting clause with the following:

"Section 5. The Illinois Income Tax Act is amended by changing Section 101 as follows:
(35 ILCS 5/101) (from Ch. 120, par. 1-101)

Sec. 101. Short Title.

This Act shall be known and may be cited as ~~the~~ "Illinois Income Tax Act."
(Source: P.A. 76-261.)"

AMENDMENT NO. 2 TO SENATE BILL 3710

AMENDMENT NO. 2. Amend Senate Bill 3710, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The New Markets Development Program Act is amended by changing Sections 20 and 25 as follows:

(20 ILCS 663/20)

Sec. 20. Annual cap on credits. The Department shall limit the monetary amount of qualified equity investments permitted under this Act to a level necessary to limit tax credit use at no more than ~~\$20,000,000~~ ~~\$10,000,000~~ of tax credits in any fiscal year. This limitation on qualified equity investments shall be based on the anticipated use of credits without regard to the potential for taxpayers to carry forward tax credits to later tax years.

(Source: P.A. 95-1024, eff. 12-31-08.)

(20 ILCS 663/25)

Sec. 25. Certification of qualified equity investments.

(a) A qualified community development entity that seeks to have an equity investment or long-term debt security designated as a qualified equity investment and eligible for tax credits under this Section shall apply to the Department. The qualified community development entity must submit an application on a form that the Department provides that includes:

(1) The name, address, tax identification number of the entity, and evidence of the entity's certification as a qualified community development entity.

(2) A copy of the allocation agreement executed by the entity, or its controlling entity, and the Community Development Financial Institutions Fund.

(3) A certificate executed by an executive officer of the entity attesting that the allocation agreement remains in effect and has not been revoked or cancelled by the Community Development Financial Institutions Fund.

(4) A description of the proposed amount, structure, and purchaser of the equity investment or long-term debt security.

(5) The name and tax identification number of any taxpayer eligible to utilize tax credits earned as a result of the issuance of the qualified equity investment.

(6) Information regarding the proposed use of proceeds from the issuance of the qualified equity investment.

(7) A nonrefundable application fee of \$5,000. This fee shall be paid to the Department and shall be required of each application submitted.

(b) Within 30 days after receipt of a completed application containing the information necessary for the Department to certify a potential qualified equity investment, including the payment of the application fee, the Department shall grant or deny the application in full or in part. If the Department denies any part of the application, it shall inform the qualified community development entity of the grounds for the denial. If the qualified community development entity provides any additional information required by the Department or otherwise completes its application within 15 days of the notice of denial, the application shall be considered completed as of the original date of submission. If

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the qualified community development entity fails to provide the information or complete its application within the 15-day period, the application remains denied and must be resubmitted in full with a new submission date.

(c) If the application is deemed complete, the Department shall certify the proposed equity investment or long-term debt security as a qualified equity investment that is eligible for tax credits under this Section, subject to the limitations contained in Section 20. The Department shall provide written notice of the certification to the qualified community development entity. The notice shall include the names of those taxpayers who are eligible to utilize the credits and their respective credit amounts. If the names of the taxpayers who are eligible to utilize the credits change due to a transfer of a qualified equity investment or a change in an allocation pursuant to Section 15, the qualified community development entity shall notify the Department of such change.

(d) The Department shall certify qualified equity investments in the order applications are received by the Department. Applications received on the same day shall be deemed to have been received simultaneously. For applications received on the same day and deemed complete, the Department shall certify, consistent with remaining tax credit capacity, qualified equity investments in proportionate percentages based upon the ratio of the amount of qualified equity investment requested in an application to the total amount of qualified equity investments requested in all applications received on the same day.

(e) Once the Department has certified qualified equity investments that, on a cumulative basis, are eligible for ~~\$20,000,000~~ ~~\$10,000,000~~ in tax credits, the Department may not certify any more qualified equity investments. If a pending request cannot be fully certified, the Department shall certify the portion that may be certified unless the qualified community development entity elects to withdraw its request rather than receive partial credit.

(f) Within 30 days after receiving notice of certification, the qualified community development entity shall issue the qualified equity investment and receive cash in the amount of the certified amount. The qualified community development entity must provide the Department with evidence of the receipt of the cash investment within 10 business days after receipt. If the qualified community development entity does not receive the cash investment and issue the qualified equity investment within 30 days following receipt of the certification notice, the certification shall lapse and the entity may not issue the qualified equity investment without reapplying to the Department for certification. A certification that lapses reverts back to the Department and may be reissued only in accordance with the application process outline in this Section 25.

(Source: P.A. 95-1024, eff. 12-31-08.)

Section 10. The Illinois Income Tax Act is amended by adding Section 220 as follows:

(35 ILCS 5/220 new)

Sec. 220. Angel investment credit.

(a) As used in this Section:

"Applicant" means a corporation, partnership, limited liability company, or a natural person that makes an investment in a qualified new business venture. The term "applicant" does not include a corporation, partnership, limited liability company, or a natural person who has a direct or indirect ownership interest of at least 51% in the profits, capital, or value of the investment or a related member.

"Claimant" means a applicant certified by the Department who files a claim for a credit under this Section.

"Department" means the Department of Commerce and Economic Opportunity.

"Qualified new business venture" means a business that is registered with the Department under this Section.

"Related member" means a person that, with respect to the investment, is any one of the following.

(1) An individual, if the individual and the members of the individual's family (as defined in Section 318 of the Internal Revenue Code) own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the value of the outstanding profits, capital, stock, or other ownership interest in the applicant.

(2) A partnership, estate, or trust and any partner or beneficiary, if the partnership, estate, or trust and its partners or beneficiaries own directly, indirectly, beneficially, or constructively, in the aggregate, at least 50% of the profits, capital, stock, or other ownership interest in the applicant.

(3) A corporation, and any party related to the corporation in a manner that would require an attribution of stock from the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the applicant and any other related member own, in the aggregate, directly, indirectly, beneficially, or constructively, at least 50% of the value of the corporation's outstanding stock.

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(4) A corporation and any party related to that corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation under the attribution rules of Section 318 of the Internal Revenue Code, if the corporation and all such related parties own, in the aggregate, at least 50% of the profits, capital, stock, or other ownership interest in the applicant.

(5) A person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code, except that for purposes of determining whether a person is a related member under this paragraph, "20%" shall be substituted for "5%" whenever "5%" appears in Section 1563(e) of the Internal Revenue Code.

(b) For taxable years beginning after December 31, 2010, and ending on or before December 31, 2016, subject to the limitations provided in this Section, a claimant may claim, as a credit against the tax imposed under subsections (a) and (b) of Section 201 of this Act, an amount equal to 25% of the claimant's investment made directly in a qualified new business venture. The credit under this Section may not exceed the taxpayer's Illinois income tax liability for the taxable year. If the amount of the credit exceeds the tax liability for the year, the excess may be carried forward and applied to the tax liability of the 5 taxable years following the excess credit year. The credit shall be applied to the earliest year for which there is a tax liability. If there are credits from more than one tax year that are available to offset a liability, the earlier credit shall be applied first. In the case of a partnership or Subchapter S Corporation, the credit is allowed to the partners or shareholders in accordance with the determination of income and distributive share of income under Sections 702 and 704 and Subchapter S of the Internal Revenue Code.

(c) The maximum amount of an applicant's investment that may be used as the basis for a credit under this Section is \$2,000,000 for each investment made directly in a qualified new business venture.

(d) The Department shall implement a program to certify an applicant for an angel investment credit. Upon satisfactory review, the Department shall issue a tax credit certificate stating the amount of the tax credit to which the applicant is entitled. The Department shall annually certify that the claimant's investment has been made and remains in the qualified new business venture for no less than 3 years. If an investment for which a claimant is allowed a credit under subsection (b) is held by the claimant for less than 3 years, or, if within that period of time the qualified new business venture is moved from the State of Illinois, the claimant shall pay to the Department of Revenue, in the manner prescribed by the Department of Revenue, the amount of the credit that the claimant received related to the investment.

(e) The Department shall implement a program to register qualified new business ventures for purposes of this Section. A business desiring registration shall submit an application to the Department in each taxable year for which the business desires registration. The Department may register the business only if the business satisfies all of the following conditions:

(1) it has its headquarters in this State;

(2) at least 51% of the employees employed by the business are employed in this State;

(3) it has the potential for increasing jobs in this State, increasing capital investment in this State, or both, and either of the following apply:

(A) it is principally engaged in innovation in any of the following: manufacturing; biotechnology; nanotechnology; communications; agricultural sciences; clean energy creation or storage technology; processing or assembling products, including medical devices, pharmaceuticals, computer software, computer hardware, semiconductors, other innovative technology products, or other products that are produced using manufacturing methods that are enabled by applying proprietary technology; or providing services that are enabled by applying proprietary technology; or

(B) it is undertaking pre-commercialization activity related to proprietary technology that includes conducting research, developing a new product or business process, or developing a service that is principally reliant on applying proprietary technology;

(4) it is not principally engaged in real estate development, insurance, banking, lending, lobbying, political consulting, professional services provided by attorneys, accountants, business consultants, physicians, or health care consultants, wholesale or retail trade, leisure, hospitality, transportation, or construction, except construction of power production plants that derive energy from a renewable energy resource, as defined in Section 1 of the Illinois Power Agency Act;

(5) it has fewer than 100 employees;

(6) it has been in operation in Illinois for not more than 10 consecutive years prior to the year of certification; and

(7) it has received not more than (i) \$10,000,000 in aggregate private equity investment in cash or (ii) \$4,000,000 in investments that qualified for tax credits under this Section.

(f) The Department, in consultation with the Department of Revenue, shall adopt rules to administer this Section. The aggregate amount of the tax credits that may be claimed under this Section for

investments made in qualified new business ventures shall be limited at \$10,000,000 per calendar year.

(g) A claimant may not sell or otherwise transfer a credit awarded under this Section to another person.

(h) On or before March 1 of each year, the Department shall report to the Governor and to the General Assembly on the tax credit certificates awarded under this Section for the prior calendar year.

(1) This report must include, for each tax credit certificate awarded:

(A) the name of the claimant and the amount of credit awarded or allocated to that claimant;

(B) the name and address of the qualified new business venture that received the investment giving rise to the credit and the county in which the qualified new business venture is located; and

(C) the date of approval by the Department of the applications for the tax credit certificate.

(2) The report must also include:

(A) the total number of applicants and amount for tax credit certificates awarded under this Section in the prior calendar year;

(B) the total number of applications and amount for which tax credit certificates were issued in the prior calendar year; and

(C) the total tax credit certificates and amount authorized under this Section for all calendar years.

Section 99. Effective date. This Section and Section 5 take effect on July 1, 2010. Section 10 takes effect on January 1, 2011."

Under the rules, the foregoing **Senate Bill No. 3710**, with House Amendments numbered 1 and 2, was referred to the Secretary's Desk.

A message from the House by

Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to-wit:

SENATE BILL NO. 333

A bill for AN ACT concerning government.

Together with the following amendment which is attached, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

House Amendment No. 1 to SENATE BILL NO. 333

Passed the House, as amended, May 27, 2010.

MARK MAHONEY, Clerk of the House

AMENDMENT NO. 1 TO SENATE BILL 333

AMENDMENT NO. 1. Amend Senate Bill 333 by replacing everything after the enacting clause with the following:

"Section 5. The Counties Code is amended by adding Section 5-1135 as follows:

(55 ILCS 5/5-1135 new)

Sec. 5-1135. Rock Island County Board and officers; freeze compensation. The compensation of all county officers and county board members of Rock Island County is frozen at the amount those officers and members were actually receiving on May 1, 2010, and any purported increases in compensation, including without limitation any additional compensation for serving as a committee chairperson, taking effect on or after May 1, 2010 are null and void.

Section 99. Effective date. This Act takes effect upon becoming law."

Under the rules, the foregoing **Senate Bill No. 333**, with House Amendment No. 1, was referred to the Secretary's Desk.

INTRODUCTION OF BILLS

SENATE BILL NO. 3941. Introduced by Senator Collins, a bill for AN ACT concerning civil law.

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The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 3942. Introduced by Senator Jacobs, a bill for AN ACT concerning public employee benefits.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

SENATE BILL NO. 3943. Introduced by Senator Link, a bill for AN ACT concerning local government.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Assignments.

PRESENTATION OF RESOLUTIONS

SENATE RESOLUTION NO. 865

Offered by Senator Garrett and all Senators:
Mourns the death of Platon Deliyannis.

SENATE RESOLUTION NO. 866

Offered by Senator Koehler and all Senators:
Mourns the death of Patricia J. Hidden of Norwood.

By unanimous consent, the foregoing resolutions were referred to the Resolutions Consent Calendar.

HOUSE BILL RECALLED

On motion of Senator Harmon, **House Bill No. 3690** was recalled from the order of third reading to the order of second reading.

Senator Harmon offered the following amendment and moved its adoption:

AMENDMENT NO. 2 TO HOUSE BILL 3690

AMENDMENT NO. 2. Amend House Bill 3690, AS AMENDED, by replacing everything after the enacting clause with the following:

"Section 5. The Code of Civil Procedure is amended by changing Section 9-106 as follows:
(735 ILCS 5/9-106) (from Ch. 110, par. 9-106)

Sec. 9-106. Pleadings and evidence. On complaint by the party or parties entitled to the possession of such premises being filed in the circuit court for the county where such premises are situated, stating that such party is entitled to the possession of such premises (describing the same with reasonable certainty), and that the defendant (naming the defendant) unlawfully withholds the possession thereof from him, her or them, the clerk of the court shall issue a summons.

In counties with a population of 3,000,000 or more, the complaint shall also state the following information, to the extent the party or parties entitled to the possession of such premises have actual knowledge of such information: (i) the name of each known occupant of the premises, along with each known occupant's date of birth; (ii) if the actual date of birth is unknown, whether a known occupant is known to be under the age of 18 or over the age of 65; and (iii) whether a known occupant has a disability, as defined by Section 10 of the Disabilities Services Act of 2003, but only to the extent that the occupant has self-reported the disability to the person claiming such possession. The failure to comply with the requirement to provide such information shall not affect the validity or the legal effect of any complaint or of any order or judgment entered in the action.

The defendant may under a general denial of the allegations of the complaint offer in evidence any matter in defense of the action. Except as otherwise provided in Section 9-120, no matters not germane to the distinctive purpose of the proceeding shall be introduced by joinder, counterclaim or otherwise. However, a claim for rent may be joined in the complaint, and judgment may be entered for the amount of rent found due.

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The changes made by this amendatory Act of the 96th General Assembly do not apply to public housing programs, assisted under the United States Housing Act of 1937, as amended, 42 U.S.C. 1437 et seq., and its implementing regulations, including the tenant-based Housing Choice Voucher program. Public housing programs include premises assisted with housing choice vouchers and dwelling units in mixed-finance projects that are assisted through a public housing authority's capital, operating, or other funds.

(Source: P.A. 90-360, eff. 1-1-98.)

Section 99. Effective date. This Act takes effect upon becoming law."

The motion prevailed.

And the amendment was adopted and ordered printed.

There being no further amendments, the bill, as amended, was ordered to a third reading.

RESOLUTIONS CONSENT CALENDAR

SENATE RESOLUTION NO. 827

Offered by Senator Dillard and all Senators:

Mourns the death of David Pearson Thorpe.

SENATE RESOLUTION NO. 828

Offered by Senator Dillard and all Senators:

Mourns the death of Frank J. Johanik of Westmont.

SENATE RESOLUTION NO. 829

Offered by Senator Dillard and all Senators:

Mourns the death of Deborah Mae Kirwan.

SENATE RESOLUTION NO. 830

Offered by Senator Dillard and all Senators:

Mourns the death of Dr. John E. Halasz of Burr Ridge.

SENATE RESOLUTION NO. 831

Offered by Senator Lauzen and all Senators:

Mourns the death of Edward J. Powers of Sugar Grove.

SENATE RESOLUTION NO. 832

Offered by Senator Lauzen and all Senators:

Mourns the death of Robert J. Stumm of New Orleans, Louisiana, formerly of Aurora, Illinois.

SENATE RESOLUTION NO. 833

Offered by Senator Hunter and all Senators:

Mourns the death of Queen T. Holman.

SENATE RESOLUTION NO. 834

Offered by Senator McCarter and all Senators:

Mourns the death of Micke Toennies of Trenton.

SENATE RESOLUTION NO. 835

Offered by Senator McCarter and all Senators:

Mourns the death of David F. Rehkemper of Highland.

SENATE RESOLUTION NO. 836

Offered by Senator Link and all Senators:

Mourns the death of Lois Katlin Wynn of Highland Park.

SENATE RESOLUTION NO. 837

Offered by Senator Link and all Senators:

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Mourns the death of Sister Betty Drew of San Diego, California, formerly of Waukegan.

SENATE RESOLUTION NO. 838

Offered by Senator Link and all Senators:

Mourns the death of Mary Louise Schmitt of Vernon Hills.

SENATE RESOLUTION NO. 839

Offered by Senator Link and all Senators:

Mourns the death of David Aguirre of Park City.

SENATE RESOLUTION NO. 840

Offered by Senator Link and all Senators:

Mourns the death of Helen Francis Nerstrom of Zion.

SENATE RESOLUTION NO. 841

Offered by Senator Haine and all Senators:

Mourns the death of John L. Tolbert of Alton.

SENATE RESOLUTION NO. 842

Offered by Senator Haine and all Senators:

Mourns the death of George R. Arnold of Edwardsville.

SENATE RESOLUTION NO. 843

Offered by Senator McCarter and all Senators:

Mourns the death of Juanita "Nita" Ann Cornell Quigley, CMSGT USAF, Retired, of Trenton.

SENATE RESOLUTION NO. 844

Offered by Senator Duffy and all Senators:

Mourns the death of Maurice J. Healy.

SENATE RESOLUTION NO. 845

Offered by Senator Duffy and all Senators:

Mourns the death of Alfred P. Pedersen of Antioch.

SENATE RESOLUTION NO. 846

Offered by Senator Hutchinson and all Senators:

Mourns the death of Joanne M. Paesel of Steger.

SENATE RESOLUTION NO. 847

Offered by Senator Link and all Senators:

Mourns the death of Sylvia Lorene Johnson Allen of North Chicago.

SENATE RESOLUTION NO. 848

Offered by Senator Althoff and all Senators:

Mourns the death of George A. "Bud" Berry III of St. Charles.

SENATE RESOLUTION NO. 849

Offered by Senator Clayborne and all Senators:

Mourns the death of Joseph E. "Jody" Trover, Sr., of Belleville.

SENATE RESOLUTION NO. 850

Offered by Senator Lauzen and all Senators:

Mourns the death of D. Chet McKee of Aurora.

SENATE RESOLUTION NO. 851

Offered by Senator Dillard and all Senators:

Mourns the death of Megan B. Oppenheimer (nee, Turner) of Naperville.

SENATE RESOLUTION NO. 852

Offered by Senator Dillard and all Senators:
Mourns the death of John Eugene Fry of Naperville.

SENATE RESOLUTION NO. 853

Offered by Senator Dillard and all Senators:
Mourns the death of Gilbert Ellman “Mr. Music” of Naperville.

SENATE RESOLUTION NO. 854

Offered by Senator Haine and all Senators:
Mourns the death of Retired Lieutenant Colonel Harold E. Briggs, Sr., U.S.M.C., of Granite City.

SENATE RESOLUTION NO. 855

Offered by Senator Haine and all Senators:
Mourns the death of Arthur F. Wendler, Sr., of Edwardsville.

SENATE RESOLUTION NO. 856

Offered by Senator Haine and all Senators:
Mourns the death of Clarice “Clare” A. Finck of Godfrey.

SENATE RESOLUTION NO. 857

Offered by Senator Haine and all Senators:
Mourns the death of Antoinette “Jeanette” Piening of Bethalto.

SENATE RESOLUTION NO. 858

Offered by Senator Hunter and all Senators:
Mourns the death of Manda Roberts of Chicago.

SENATE RESOLUTION NO. 859

Offered by Senator Hunter and all Senators:
Mourns the death of Merritt L. Hicks, Jr., of Chicago.

SENATE RESOLUTION NO. 861

Offered by Senator Bivins and all Senators:
Mourns the death of Harry Andrew Ulferts of Dixon.

SENATE RESOLUTION NO. 862

Offered by Senator Demuzio and all Senators:
Mourns the death of Ann Copelin of Virden.

SENATE RESOLUTION NO. 863

Offered by Senator Demuzio and all Senators:
Mourns the death of Garrett James Smith of Oconee.

SENATE RESOLUTION NO. 864

Offered by Senator Haine and all Senators:
Mourns the death of Donald A. Jacoby of Alton.

SENATE RESOLUTION NO. 865

Offered by Senator Garrett and all Senators:
Mourns the death of Platon Deliyannis.

SENATE RESOLUTION NO. 866

Offered by Senator Koehler and all Senators:
Mourns the death of Patricia J. Hidden of Norwood.

The Chair moved the adoption of the Resolutions Consent Calendar. The motion prevailed, and the resolutions were adopted.

[May 27, 2010]

MESSAGE FROM THE HOUSE

A message from the House by
Mr. Mahoney, Clerk:

Mr. President -- I am directed to inform the Senate that the House of Representatives has adopted the following joint resolution, in the adoption of which I am instructed to ask the concurrence of the Senate, to-wit:

HOUSE JOINT RESOLUTION NO. 123

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, May 27, 2010, it stands adjourned until the call of the Speaker; and when the Senate adjourns on May 27, 2010, it stands adjourned until the call of the President.

Adopted by the House, May 27, 2010.

MARK MAHONEY, Clerk of the House

By unanimous consent, on motion of Senator Clayborne, the foregoing message reporting House Joint Resolution No. 123 was taken up for immediate consideration.

Senator Clayborne moved that the Senate concur with the House in the adoption of the resolution. The motion prevailed.

And the Senate concurred with the House in the adoption of the resolution.
Ordered that the Secretary inform the House of Representatives thereof.

MESSAGE FROM THE SECRETARY OF STATE

OFFICE OF THE SECRETARY OF STATE
JESSE WHITE • Secretary of State

May 27, 2010

To the Honorable President of the Senate:

Sir:

In compliance with the provisions of the Constitution of the State of Illinois, I am forwarding herewith the enclosed Senate Bill from the 96th General Assembly AS VETOED BY THE Governor together with his objections

SENATE BILL

0365

Respectfully,
s/Jesse White
Secretary of State

May 11, 2010

To the Honorable Members of the Illinois Senate,
96th General Assembly:

Today, I return Senate Bill 365 to the Illinois Senate, vetoed in its entirety.

[May 27, 2010]

As Governor, I am committed to ensuring that the students of our State have access to the educational resources they need. Over the past year our State has not been able to adequately fund the Monetary Award Program (MAP) grants and has demanded that institutions of higher education do more with fewer resources. Because MAP grants have not been fully funded, more than 200,000 of our neediest students are being denied financial assistance for higher education, while others have been forced to make profound sacrifices to continue their quest for a degree. And some, unfortunately, have had to suspend their dreams of going to college.

Our colleges and universities face millions of dollars of unpaid bills. At a time when students are being deprived basic assistance and we are asking our institutions of higher learning to operate with scarce resources, I cannot affix my signature to a measure that allows student assistance to be based on anything other than need and merit.

This bill fails to adopt the fundamental reforms that are necessary to bring transparency, competition, and fairness to the General Assembly scholarship program. The General Assembly must do more than enact the provisions of this bill to ensure that the scholarships are awarded only to deserving applicants. A program that relies on the favor of a legislator rather than the merit of an applicant is not a program I can endorse. Accordingly, I must return this bill without my approval and ask that the General Assembly pursue an alternative reform.

The Illinois House of Representatives has taken an important step towards ending the abuses of the General Assembly scholarship program and preserving resources for higher education through passage of House Bill 4685. House Bill 4685 ends the General Assembly scholarship program, effective June 1, 2010. I commend the Illinois House of Representatives on the passage of that bill and ask for your support in passing this important initiative.

Therefore, pursuant to Article IV, Section 9(b) of the Illinois Constitution of 1970, I hereby return Senate Bill 365, entitled "AN ACT concerning State government.", vetoed in its entirety with this statement of objections.

Sincerely,

s/PAT QUINN

Governor

Pursuant to Senate Rule 9-1, the foregoing Senate Bill, which was returned by the Governor, was placed on the Senate Calendar.

COMMUNICATIONS

ILLINOIS STATE SENATE
DON HARMON
ASSISTANT MAJORITY LEADER
STATE SENATOR · 39TH DISTRICT

May 27, 2010

The Honorable Jillayne Rock
Secretary of the Senate
Room 403 Capitol Building
Springfield, IL 62704

Madame Secretary:

Today the Senate Executive Appointments Committee and the Senate as a whole voted to consent to the appointment of Deborah Telman to be a member of the Housing Development Authority.

Other lawyers in the law firm that employs me provide legal services to the Housing Development Authority. Accordingly, to avoid the appearance of conflict of interest, I abstained from voting on the appointment, both in committees and on the floor, and I hereby disclose that fact to the Senate.

[May 27, 2010]

Sincerely,
s/Don Harmon

ILLINOIS STATE SENATE
DON HARMON
ASSISTANT MAJORITY LEADER
STATE SENATOR · 39TH DISTRICT

May 27, 2010

The Honorable Jillayne Rock
Secretary of the Senate
Room 403 Capitol Building
Springfield, IL 62704

Madame Secretary:

The Senate today overrode the Governor's Amendatory Veto to Senate Bill 28 and concurred with House Amendment 2 to Senate Bill 3215 which reforms the Metropolitan Pier and Exposition Authority ("MPEA").

Other attorneys at the law firm that employs me have represented the MPEA on matters unrelated to the legislation. I do not believe that this representation presents a substantial threat to my independence of judgment.

In addition, other attorneys at the law firm that employs me have in the past represented parties to MPEA bond issues. Moreover, before I was a member of the General Assembly, and while I was employed by another law firm, I personally assisted in representing the MPEA in bond transactions. I do not believe that these past representations present a substantial threat to my independence of judgment.

Notwithstanding my belief that these representations pose no substantial threat to the independence of my judgment, I abstained from voting on the motion, and hereby disclose that fact to the Senate.

Sincerely,
s/Don Harmon

SENATE VETO SESSION SCHEDULE

NOVEMBER 2010 FALL VETO SESSION

NOVEMBER	10 TH	SESSION	PERFUNCTORY
	16 TH	SESSION	
	17 TH	SESSION	
	18 TH	SESSION	
	23 RD	SESSION	PERFUNCTORY
	30 TH	SESSION	
DECEMBER	1 ST	SESSION	
	2 ND	SESSION	

At the hour of 6:53 o'clock p.m., pursuant to **House Joint Resolution No. 123**, the Chair announced the Senate stand adjourned until the call of the President.

[May 27, 2010]